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ABSTRACT

This study was commissioned to determine how the Individuals with Disabilities Education Act is working, what outcomes children and youth with disabilities are achieving, and how the system can be improved in the context of current education reform initiatives. Key policy themes addressed include individualized education programs, least restrictive environments, procedural safeguards, and multicultural and multidisciplinary education. Outcomes examined include academic achievement, school and work readiness, quality of life, and minimal instructional time lost. The report then focuses on school reform efforts for various student populations; assesses the impact of such initiatives as work readiness and quality of life; examines student outcomes at present and expectations for the future; and discusses measures and indicators used in educational assessment. Conclusions of the study are expressed in terms of recommendations to the President and Congress, as well as recommendations for parents, practitioners, and other stakeholders in the special education system. (Contains 40 references.) (PB)

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Serving the Nation's Students with Disabilities:

Progress and Prospects

A Report to the President and the Congress of the United States

March 4, 1993

National Council on Disability

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An Independent
Federal Agency

March 4, 1993

The President
The White House
Washington, DC 20500

Dear Mr. President:

On behalf of the members and staff of the National Council on Disability, we are pleased to provide you with a special report, *Serving the Nation's Students With Disabilities: Progress and Prospects*.

This report is in accordance with the statutory mandate of the National Council, which authorizes special reports to the President and the Congress. It follows the progress of the recommendations contained in the National Council's 1989 report, *The Education of Students With Disabilities: Where Do We Stand?*

Although significant gains have been made in recent years in educating students who have disabilities, there is still much to be accomplished, particularly in the area of including these students within their own neighborhood schools. The Council views the education of students with disabilities in regular schools as a critical priority. Success in education means success in adult life. For students with disabilities, a good education can be the difference between a life of dependence and nonproductivity and a life of independence and productivity.

The National Council on Disability looks forward to your leadership on behalf of students with disabilities. We are eager to work with you as we seek quality educational services for all students with disabilities.

Sincerely,

John A. Gannon
Acting Chairperson
February 1993-present

Sandra Swift Parrino
Chairperson
October 1983-January 1993

(This same letter of transmittal was sent to the President Pro Tempore of the Senate and the Speaker of the House of Representatives.)

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The views contained in this report do not necessarily represent those of the administration, as this document has not been subjected to the A-19 Executive Branch review process.

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MISSION OF THE NATIONAL COUNCIL ON DISABILITY

The National Council on Disability is an independent federal agency composed of 15 members appointed by the President of the United States and confirmed by the U.S. Senate. The National Council was established in 1978 as an advisory board within the Department of Education (P.L. 95-602). The Rehabilitation Act Amendments of 1984 (P.L. 98-221) transformed the National Council into an independent agency. The statutory mandate of the National Council at the time of this study assigned the Council the following duties:

- Establishing general policies for reviewing the operation of the National Institute on Disability and Rehabilitation Research (NIDRR);

- Providing advice to the Commissioner of the Rehabilitation Services Administration (RSA) on policies and conduct;

- Providing ongoing advice to the President, the Congress, the RSA Commissioner, the Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS), and the Director of NIDRR on programs authorized in the Rehabilitation Act;

- Reviewing and evaluating on a continuous basis the effectiveness of all policies, programs, and activities concerning individuals with disabilities conducted or assisted by federal departments or agencies and all statutes pertaining to federal programs, and assessing the extent to which these provide incentives to community-based services for, promote full integration of, and contribute to the independence and dignity of individuals with disabilities;

- Making recommendations of ways to improve research; the collection, dissemination, and implementation of research findings; service; and administration affecting persons with disabilities;

- Reviewing and approving standards for independent living programs;

- Submitting an annual report with appropriate recommendations to the Congress and the President regarding the status of research affecting persons with disabilities and the activities of RSA and NIDRR;

- Reviewing and approving standards for Projects with Industry programs;

- Providing to the Congress, on a continuous basis, advice, recommendations, and any additional information that the National Council or the Congress considers appropriate;

- Providing guidance to the President's Committee on the Employment of People with Disabilities; and

- Issuing an annual report to the President and the Congress on the progress that has been made in implementing the recommendations contained in the National Council's January 30, 1986 report, *Toward Independence*.

While many government agencies deal with issues and programs affecting people with disabilities, the National Council is the only federal agency charged with addressing, analyzing, and making recommendations on issues of public policy that affect people with disabilities regardless of age, disability type, perceived employment potential, economic need, specific functional ability, status as a veteran, or other individual circumstance. The National Council recognizes its unique opportunity to facilitate independent living, community integration, and employment opportunities for people with disabilities by ensuring an informed and coordinated approach to addressing their concerns and eliminating barriers to their active participation in community and family life.

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PREFACE

Educational reform is part of the fabric of societal change in America. The 1970s were known as the decade of educational "equity" reforms. The 1980s were hailed as the decade of educational "excellence" reforms. The 1990s are rapidly becoming known as the decade of educational "accountability" reforms. The major education reform of the 1990s is known as *America 2000: An Education Strategy*, which espouses six goals:

- All children will start school ready to learn.
- Nine out of ten students will graduate high school.
- Students will master a range of basic subjects.
- The United States will be first in the world in mathematics and science achievement.
- Adults will be functionally literate and trained to compete in the work force.
- Schools will be drug-free and safe.

As the language of the goals indicates, *all* children and students are to be included. No segment of the country's educational population is explicitly excluded from *America 2000*'s reform program. *America 2000* and any other education reform efforts will benefit by including the following numbers of students with disabilities:

- 250,000 infants and toddlers served by special education in early intervention programs;
- 65,000 children with disabilities who are enrolled in Head Start programs;
- 4.28 million students served by special education programs in regular school buildings;
- 320,000 students served by special education programs outside of regular school buildings;
- 260,000 students served by special education programs who graduate from high school each year; and
- 2 million students with disabilities who are enrolled in adult and postsecondary education.

Federal and state education policymakers should recognize that students with disabilities offer a wealth of human potential and resources. For our nation to be able to compete internationally in the next century, it is essential that these students be included in all efforts to reform and improve our education system.

EXECUTIVE SUMMARY

Prior to the enactment of federal laws providing public education entitlements to all students with disabilities, vast numbers of these students either received an education that did not meet their needs or received no education at all. It was not until 1975, when the U.S. Congress passed **P.L. 94-142** (now referred to as the Individuals with Disabilities Education Act--IDEA, **P.L. 102-119**), that conditions began to change substantially. The purpose of **P.L. 94-142** was to guarantee that all children and youth with disabilities receive a free, appropriate public education in the least restrictive environment, relying in large measure on input from parents into decision-making activities.

In 1988, the National Council on Disability held formal hearings on various aspects of the implementation of **P.L. 94-142**. Based on those hearings, the National Council presented its report to the President and the Congress in 1989. Entitled *The Education of Students with Disabilities: Where Do We Stand?*, the report provided 31 findings, posed questions for future study, and offered specific recommendations for the improvement of public education for all individuals with disabilities who have special education and related service needs.

Many of the findings of that report revealed that special education is a relatively isolated service system in which student placements varied widely among and within school districts and parents were uninformed about their children's educational rights. As a direct result of its findings, the National Council raised questions concerning the relationship between educational settings and student outcomes, the feasibility of enhanced federal-state partnerships, and the consolidation and improvement of special education and general education systems for *all* students.

Seventeen years have passed since the enactment of **P.L. 94-142**. Nationwide, special education enrollments have risen to about 4.6 million. Federal, state, and local spending for special education has increased to about $20 billion annually, and yet many parents of students with disabilities remain dissatisfied with the education their children are receiving. At the same time, America is now in the process of reassessing its educational systems generally and rethinking the way all students are taught. It is, therefore, an appropriate time to reconsider the effect of our educational system on students with disabilities.

The National Council commissioned this study to determine how the federal special education law is working, what outcomes children and youth with disabilities are achieving, and how the system can be improved in the

context of current education reform initiatives. This report examines these critical questions:

- Where do students with disabilities fit into current education reforms, such as *America 2000* and the *National Education Goals Report of 1991: Building a Nation of Learners*?

- Do students with disabilities receive equitable treatment in assessment and research programs?

- Are traditionally neglected and underrepresented students segregated from nondisabled peers and placed in programs that do not meet their needs?

- How can special education and general education systems work together across federal, state, and local levels, to ensure that students with disabilities will achieve desired outcomes?

In answering these questions, the National Council's study involved policy analyses, an evaluation of program implementation, and a review of the data bases of the Department of Education (i.e., Office of Special Education Programs, National Center for Educational Statistics, and Office for Civil Rights) and the Census Bureau. The study focused on several *policy themes*, including the individualized education program, least restrictive environment requirements, procedural safeguards, and multicultural and multidisciplinary issues, and on several *educational outcomes*, including academic achievement, school and work readiness, quality of life, and minimal instructional time lost. Supporting documentation for the study is available in a supplement to this report.

Policy Themes

Theme 1 - The development of the individualized education program (IEP) and its impact, or the lack thereof, on the quality of education and related services for students

The IDEA statute requires states and local school districts to develop an IEP for every eligible student of special education, at least annually, at a meeting between a qualified representative of the local school district, the teacher, the parents or guardians, and, whenever appropriate, the student. Following the 1982 Supreme Court decision in the case of *Board of Education v. Rowley* (102 S.Ct. 3034), lower courts and administrative bodies have begun to consider whether an IEP was designed to address a student's educational progress. Courts have held that a school district must consider a student's

potential for educational progress and advancement when developing the student's IEP.

A small but growing body of research data and expert opinion has focused on the IEP and its impact on the quality of education for students. In the 26 *Final State Compliance and Monitoring Reports* issued by the Office of Special Education Programs (OSEP), analyzing 1,618 student IEPs from April 1989 to February 1992, *150 of the 165 local public agencies visited were cited to be in varying degrees of noncompliance with federal and state IEP mandates.* The following table presents the results of analysis of IEP noncompliance in the 26 *Final State Reports*:

INDIVIDUALIZED EDUCATION PROGRAM (IEP)
PERCENTAGE OF IEP ELEMENTS CITED IN NONCOMPLIANCE
IN 26 OSEP STATE MONITORING REPORTS
(*N* = 1,618 Student IEPs)

Content Elements Required in IEP	States' Average NonCompliance Percentage
Present Levels of Performance	35
Annual Goals	38
Special Education and Related Services	40
Objective Criteria	37
Evaluation Procedures	50
Evaluation Schedule	66
Regular Education Participation	36

Based on a study of 21 states, involving 40 local school districts and the IEPs of 2,000 students, the *1991 Regional Inspector General's Audit of Child Count Errors Report* stated that *slightly more than 9% of students with disabilities either do not have an IEP or have not been properly evaluated.* This level of noncompliance constitutes a violation of federal law. Moreover, without student IEPs and evaluations to rely on, it is difficult for policymakers and others to judge whether students are receiving adequate services and programs.

The *1990 Forging a New Era--National Consumer Survey*, a nationally representative study involving 13,075 people with developmental disabilities, reported that *15%-25% of respondents (i.e., parents and individuals with disabilities) were dissatisfied with their current educational services. Of ten reasons cited for their dissatisfaction, the chief reason was that educational services were "not suited to their needs."* Specific consumer ratings of educational services by setting or program included the following:

Service	Percent Dissatisfied
Early intervention	30%
Preschool	41%
Regular class in regular school	55%
Regular class with resource room	46%
Separate class	47%
Separate school (day)	46%
Separate school (residential)	41%
After school tutor	31%
Related services	19%
Summer school programs	24%
Adult literacy/basic education	37%
Voc-Tech/vocational education	38%
Postsecondary education	46%

Theme 2 - The concept of least restrictive environment (LRE) and its impact, or lack thereof, on education for students

The IDEA statute further requires school districts to develop and implement LRE procedures to ensure that, to the maximum extent appropriate, children and youth with disabilities will be educated with children and youth who are not disabled. In OSEP's monitoring of 26 states for the period April 1989 to February 1992, *143 of 165 local education agencies visited were cited to be in varying degrees of noncompliance with federal and state LRE mandates.*

The following table presents the results of the analysis in the 26 *Final State Reports* with respect to the two most commonly cited areas of noncompliance by school districts with federal and state LRE mandates: (1) placing the students and then developing the students' IEPs, thereby following an *improper sequence of LRE determination*; and (2) automatically placing students with certain disability labels (e.g., mental retardation, serious emotional disturbance, orthopedic impairments) into *separate classes or schools*.

LEAST RESTRICTIVE ENVIRONMENT (LRE)
MOST COMMONLY CITED LRE AREAS OF NONCOMPLIANCE
IN 26 STATES

Student Disability Groups Affected	Most Commonly Cited Noncompliance Area: Improper Sequence of LRE Determination No. of States	Second Most Commonly Cited Noncompliance Area: Automatic Placement in Separate Classes or Schools No. of States
Mental Retardation	13	13
Orthopedic Impairment	4	3
Serious Emotional Disturbance	2	
Multiple Disabilities	2	2
Visual Impairment	1	1
Behavior Disorder	1	1
Deaf-Blind	1	1
Severe/Profound Physical or Mental Disability	1	1

Various local school districts reported three general reasons for noncompliance with LRE mandates: accessibility problems with public schools; systemic-related service configuration patterns; and preexisting transportation service arrangements.

A national "student placements for all disabilities data set," which reports LRE data for 10 different student groups, shows the following trends for the years 1985 to 1989:

- *Regular class placements increased from 27% to 31.3%.*
- *Resource room placements decreased from 42.5% to 37.3%.*
- *Separate class placements increased from 23.8% to 24.4%.*
- *Separate facility placements remained at 5.2%.*
- *Residential facility placements decreased from 1.3% to .9%.*
- *Home and hospital placements increased from .08% to 2.6%.*

Theme 3 - An evaluation of the procedural safeguards system and how that system impacts on parents of students with disabilities

Procedural safeguards are the cornerstone for equal access for parents of children and youth with disabilities to special education and related service programs. Procedural safeguard systems establish the right of a parent (or a school system) to protest certain government actions that could affect a child's right to special education under federal and state laws. The basic list of procedural safeguards includes notification, evaluation and placement, periodic evaluation and reevaluation, access to and confidentiality of records, surrogate parents, prior notice, parent consent, content of notice, access to due process hearings, hearing rights, and right to civil action.

The 26 *Final State Monitoring and Compliance Reports* indicated that *152 of 165 local public agencies visited were cited as being in varying degrees of noncompliance with federal and state mandates regarding the Individuals with Disabilities Education Act's procedural safeguards system.* Based on those *Final State Reports*, the following are average levels of noncompliance across all 26 states:

- *54% of the mandated procedural safeguards reviewed by the federal monitoring teams were not established.*
- *62% of the mandated procedural safeguards reviewed by the federal monitoring teams and which are required to be in notices given to parents were not included.*

Another segment of the procedural safeguards system established by federal special education law involves secretarial review--review by the Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS)--of parent and school system complaints. *From 1981 to the present, there have been 173 complaint requests for secretarial review. Of those complaints, 156 (or 90%) have been requests for review made by parents or parent organizations, and only 2 of the 173 requests for review have been granted.*

Theme 4 - Multicultural and multidisciplinary issues related to the education of students with disabilities

One of the new provisions of IDEA emphasizes meeting the needs of traditionally neglected or underrepresented populations. According to some estimates, by the year 2000, nearly one-third of all school-age children and youth will be members of minority populations. In addition, an increasing number of newborns who have unique disabilities and individuals from groups recently identified by IDEA must be served by school districts.

Shifting demographics among resident populations are forcing communities to rethink and redesign the structure of their public school systems. School enrollment trends suggest that some school districts are having difficulty delivering appropriate services to their increasingly diverse student populations. In some states, the percentage of students enrolled in special education has increased while the general school population has declined.

For instance, a 1991 report issued by the Massachusetts Department of Education, *A Review of the Eligibility Criteria for Children with Special Needs*, notes that 17% of students ages 3 to 21 were taught in special education classes during the 1990-1991 school year. *The report acknowledges that "overreferrals" to special education are a direct result of imprecise eligibility definitions, nonexistent or ineffective prereferral processes, and untrained or undertrained school personnel.*

Several research reports have indicated that certain racial groups of students are more likely to be enrolled in special education (National School Boards Association 1990). A federal study (Hayward 1987) of high school juniors reported that *66% of special education students as compared to 72% of non-special education students were Caucasian, 25% as compared to 15% were African American, and 8% as compared to 8.5% were Hispanic American.* Disproportionate representation of cultural and racial groups in special education populations can be caused by inaccurate perceptions of students' competencies and behaviors.

A 1991 General Accounting Office (GAO) report, entitled *Within-School Discrimination: Inadequate Title VI Enforcement by the Office for Civil Rights*, painted a bleak picture of the status of federal monitoring and enforcement of some civil rights violations in public education. Two GAO findings about the limitations of the OCR in determining Title VI violations included OCR regional offices' and investigators' (1) lack of training in and (2) lack of staff expertise for investigating ability grouping, tracking, or assignment to special education cases.

Educational Outcomes

Student Accomplishments and Outcomes

The only source of annual national outcomes data from OSEP is the Basis of Exit Data Set, which represents only 5% of America's special education population of 4.54 million students. This data set includes the number and percentage of students who graduated with diplomas, graduated with certificates, reached maximum age of entitlement, dropped out, or had some other basis of exit. A review of this data set reveals the following national trends for the years 1986 to 1989:

- *Students with disabilities who graduated with diplomas and certificates decreased from 60% to 52%.*

- *Students with disabilities who dropped out and who had other bases of exit increased from 37% to 44%.*

- *Students with disabilities who reached their maximum age of entitlement remained at relatively stable levels of 3% to 4%.*

A review of special education student graduation rates by state/agency for the period 1988-1989 demonstrates a large range of variation from 25% to 97% across state/agency education systems. Overall, among the population of students with disabilities, the following national trends are revealed:

- *Students with hearing impairments graduate with diplomas at a higher percentage rate than any other student group, ranging from 56% to 65%.*

- *Students with mental retardation graduate with certificates at a higher percentage rate than any other student group, at a rate of about 20%.*

- *Students with speech impairments have shown the highest rates among all student groups of leaving schools for undetermined reasons, ranging from 19% to about 43%.*

- *Students with multiple disabilities have the greatest likelihood of any student group to reach the maximum age of their school entitlement, at an average rate of about 12%.*

- *Students with serious emotional disturbances are at the greatest risk among all student groups of dropping out of school, at a rate of about 40%.*

School Reform in the 1990s: Federal, State and Local Initiatives

From 1990 to 1992, there have been numerous education reform initiatives proposed to improve education for *all* students, and school reform efforts have moved forward across the country. The impetus for these efforts is that America's schools are failing to prepare an overwhelming majority of its youth for their futures. With all this reform activity, we must ask whether the needs of students with disabilities are adequately being taken into consideration. A review of eight major federal initiatives involving school-age children and youth shows that six did not include specific provisions for students with disabilities. It is still too soon to tell how students with disabilities will participate in the remaining two initiatives.

On April 18, 1991, then-President George Bush released *America 2000: An Education Strategy*, a long-range plan intended to move communities toward the six national education goals adopted by the President and the National Governors Association on February 25, 1990, at the historic education summit held in Charlottesville, Virginia. Under this initiative, three fleeting references to students with disabilities and students who receive special education services can be found in America's "education report card" entitled *The National Education Goals Report of 1991: Building a Nation of Learners*. There are no identifiable measures or indicators that specifically reflect the accomplishments of students who receive special education and related services.

As of April 15, 1992, 43 states and the District of Columbia had officially adopted *America 2000* or a variation of it. In addition to state reform efforts, a number of cities or regions are beginning their own education initiatives, which are also variations of the *America 2000* program. Some of these state and local education reforms propose to include individuals with disabilities and students who receive special education services; however, many state and local initiatives are silent in this regard. Even though 13 states publish--and tout--

assessment reports related to their statewide education reform programs, the majority of the states do not disaggregate performance data for students with disabilities or students who receive special education services. Many states report only enrollment statistics related to these special student populations.

There remain many questions concerning how individuals with disabilities will be fully included in the mainstream of educational initiatives. To date, as recent education reform efforts have been discussed and developed, the needs of students with disabilities have been given little, if any, serious attention. Even though 91% of elementary and secondary public special education students are in graded classes (or placements), those students' achievements are not systematically documented by federal, state, or local education agencies *or* their much publicized educational reform initiatives.

Objectives, Outcomes, and Indicators

For students with disabilities, as for students generally, objectives and expectations must be specified and outcomes must be measured with appropriate indicators of success. Federal and state agencies are working to improve the accountability of their education systems. Agency officials and reform advocates face the ambitious task of identifying performance indicators and developing measurement systems. *America 2000* has already established proficiency standards in mathematics and is in the process of setting such standards for several other academic content areas.

Currently, there are no specific performance standards for students who receive special education. In the absence of such standards, we must ask what existing measurement strategies and indicators education policymakers and others can apply to determine and report on the accomplishments of students with disabilities and those who receive special education services. A number of strategies are possible:

- The disaggregation and reporting of proficiency scores for students with IEPs who have been allowed to take various assessments such as the National Assessment of Educational Progress (NAEP).*

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*For example, the 1990 Math Proficiency scores for NAEP's Trial State Assessment reveal that the average score for all students was 261, and the average score for students with IEPs was 234.

- The enhanced use and reporting of the research results involving students with disabilities from evaluation studies, such as the *National Educational Longitudinal Study* (NELS) of 1988.**

- The full inclusion of the special education population into the *America 2000* measurement system or any other system developed to assess educational achievement.

- The use of the performance scores attained by individuals with disabilities who take education-based competency or achievement tests such as the Scholastic Aptitude Test.

Conclusions and General Recommendations

Since its inception in 1975, public special education was intended to be a part of, not apart from, regular public education. Current efforts to improve special education and mainstream education will succeed only if America decides to target *all* students as valued members of our society deserving of a first-class education. It is essential that the needs of the 4.6 million students in special education (11% of America's total public school population) be fully addressed by our education system.

Total quality management for existing special education programs and services must be improved within and across all levels of government. The implementation of Congressional mandates for special education at the federal and state levels can best be described as "variable." Although some states and local education agencies have consistently developed and implemented IEPs, followed the principles of the LRE and procedural safeguards, and designed reliable special education data systems, other states have demonstrated less than adequate performance in these areas. Reports and research from the mid-1980s indicate that certain racial groups have been disproportionately tracked into lower ability and/or special education classes. In the absence of adequate federal government monitoring and enforcement of civil rights laws, the negative impact of practices such as "tracking" will continue. Such practices must be stopped immediately to ensure that all students receive an appropriate education.

To ensure that the requirements of the Individuals with Disabilities Education Act are carried out, Congress should:

**An analysis of all students' responses when compared with responses of students with disabilities shows few differences for most of the items on the 1990 NELS report.

- Develop and implement a comprehensive system that incorporates standardized federal compliance and monitoring results, comprehensive and meaningful outcome data about students, and reliable statistics about effective instructional practices;

- Continue to improve the federal compliance monitoring of states' implementation of IDEA provisions regarding IEPs (and individual family service programs and individual transition programs), LRE, and procedural safeguards;

- Rigorously apply federal enforcement strategies and provide technical assistance and program support when instances of noncompliance with the IDEA are documented; and

- Establish and publish compliance performance measures that can be used as baselines against which individual progress in school systems can be judged.

Considerable evidence exists that students with disabilities and those who receive special education services are not adequately included in assessment and research efforts (e.g., the National Education Goals Panel). One current obstacle to the inclusion of students with disabilities into these efforts may be the isolated, fragmented data system maintained by OSEP. There is a great need for comprehensive, timely data on the status of students with disabilities. Policymakers should develop a national data system that will provide more valid and reliable measures of how students with disabilities fare in our nation's school systems.

Despite the claims by education policymakers of their strong commitment to include *all* students in current federal and state reform initiatives, students with disabilities or students who receive special education services have been omitted from the majority of reform programs. As the nation and states continue to move forward with their educational reform initiatives, policymakers must not continue to overlook or "channel out" those students who receive special education services (e.g., students who are not on academic tracks). Future federal, state, and local education reform initiatives should address the needs of all students, including students with disabilities.

Policymakers should forge a balance between the competing, and often conflicting, policies of educational "excellence" and "equity." The education equity reforms of the 1970s (e.g., needs and access, social and welfare concerns, and federal initiatives and regulations) were followed by education excellence reforms in the 1980s (e.g., performance standards, productivity concerns, and state and local initiatives and interests). To forge such a

balance, the education accountability reforms of the 1990s must guarantee *all* students will be included in federal-state-local initiatives. There must be a serious effort to include students with disabilities and their parent representatives in discussions and work efforts focusing on educational reform across all levels of government and across all program areas.

Recommendations to Congress and the Administration

Based on the foregoing findings and conclusions, the following specific recommendations are offered for consideration and action:

Recommendation 1:

Update and revise *A Guide to Improving the National Education Data System* to include "students who receive special education services" or "individuals with disabilities," including the following areas:

Student and Community Background Statistics: Beginning of the school year membership counts, private school student background statistics, and disaggregated data from National Center for Educational Statistics (NCES) sample and universe surveys;

Education Resource Statistics: District-level data from the Common Core of Data Survey, program- and function-based accounting data, data collection regarding status of school buildings, and measures that indicate total dollar investment in personnel;

School Process Statistics: National and state-by-state data on personnel supply-and-demand-based broad indicators of teacher preparation, national- and state-level data on student opportunities to learn specific instructional topics, and national- and state-level data on drug and alcohol use and violence in the schools, as well as policies and programs undertaken to prevent such occurrences; and

Student Outcome Statistics: State-by-state comparisons of students' knowledge in core content areas (reading, writing, etc.); differences in performance among important subgroups of students to be reported at national and state levels; trends in student performance over time for all grades and subjects at national and state levels; research, development, and experimentation with new types of assessment techniques to

provide more sophisticated and broader measures of student performance; state-by-state and locale-by-locale student achievement measures; student achievement measures scaled to allow international comparisons; information regarding links between student achievements and student courses of study undertaken; possible linkages of specific features of NAEP, NELS, and other relevant survey and research instruments; national and state periodic reports on school dropouts and completers; intergovernmental reports of postsecondary school enrollment patterns and (un)employment patterns; and specific measures of student satisfaction with schools and of student future aspirations.

Recommendation 2:

Establish an independent program evaluation system whereby selected school districts send annual special education data (e.g., child counts) and supporting documentation to the Office of the Inspector General and/or to the General Accounting Office for "independent" reviews and cross-checks with the special education data that are reported annually to Congress under the Individuals with Disabilities Education Act.

Recommendation 3:

Incorporate and publish a statistically representative sample of students' proficiency scores from reform-based assessments (e.g., NAEP). These assessments must reflect every student segment, including students with disabilities or students who receive special education services.

Recommendation 4:

Develop a data system that:

Supports the disaggregation of data by gender, race, ethnicity, socioeconomic status, disability and nondisability status, and age group across levels of education;

Supports performance feedback loops or chains that are incorporated into all education accountability efforts for minority and majority student groups;

Generates evaluative information and materials that are not used as weapons against educators and do not produce defensive reactions;

Incorporates short- and long-range planning and reform activities across and within federal and state agencies and programs; and

Stimulates program improvements and promotes research on behalf of all of America's students.

Recommendation 5:

Ensure that all federal and state education reform proposals and policies address the needs of *all* students, including all students with disabilities, by making this a basic requirement or criterion in federal reform efforts.

Recommendation 6:

Require that all national studies and reports on education should include students with disabilities. For example, federal policymakers should ensure that the performance proficiency scores of students who receive special education services are included in the following:

The National Assessment of Educational Progress (NAEP) Trial Math, Science, and other evaluations;

The National Education Longitudinal Study follow-along research project;

The National Longitudinal Transition Study follow-along research project; and

All other relevant assessments that obtained, but did not highlight, performance or proficiency scores achieved by students who receive special education and related services.

Recommendation 7:

Require that indicators and measures that highlight the achievement of *all* of the nation's students, including those who receive special education services, be developed and applied. For example, measurement strategies are needed in the following areas:

School Readiness: Include measures of individualized family service program (IFSP) goals and objectives that

are accomplished by children/families served by Part H of IDEA;

High School Completion: Include measures of basis of exit for students who receive special education services through IDEA, which incorporates new data that identify basis of exit from different educational settings;

Student Achievement and Citizenship: Include measures of students with disabilities or students who receive special education services who have been permitted to take the Civics Trends Assessment portion of the NAEP tests;

Science and Mathematics: Include disaggregated scores and measures of students with disabilities or students who receive special education services who have been permitted to take NAEP State Math (or Science) Trial Assessments and, for comparative purposes, students with disabilities or students who receive special education services who have been permitted to take the 1991 International Assessment of Education;

Adult Literacy and Lifelong Learning: Include all interagency (e.g., Department of Labor) studies and/or assessment measures of adults with disabilities who have been permitted to take various agencies' tests. Postsecondary (college) attendance and college completion rates for students with disabilities are available and relevant; and

Safe, Disciplined, Drug-Free Schools: Include student responses and measures generated by the Drug Use and School Safety Surveys that have been administered to students with disabilities or students who receive special education services. Other critical measures should focus on *minimal instructional time lost* (e.g., student absenteeism, suspensions, expulsions), which is highlighted, in part, in the Office of Civil Rights biannual surveys.

Recommendation 8:

Rigorously and strictly enforce the requirements of the Individuals with Disabilities Education Act.

Recommendations to Other Constituencies of Special Education

Based on the research findings, conclusions, and specific recommendations to policymakers, the following general recommendations are offered to the nation. It is important to note that these recommendations are interdependent in nature, much like federal/state special education laws. That is, they need to be implemented together, beginning with home and family involvement, if they are to improve public education for all students with disabilities.

Recommendations for Parents

1. Parents should assume and exercise full responsibility for maintaining the integrity of their children's special education entitlements. For example, parents should actively participate in the development of their children's individualized education programs, individualized family service plans, or individualized transition plans.

2. Parents should be partners with schools so that they can maintain an active role in educational decision-making activities related to their children's progress. For example, parents should work collaboratively with schools to place their children in the least restrictive and most appropriate settings.

3. Parents of children with disabilities should participate as advocates in local, state, and federal school reform initiatives.

Recommendations for Students

1. Students with disabilities, whenever appropriate, should become active participants in the design and implementation of their educational programs.

2. Students with disabilities, whenever appropriate, should participate in evaluations of their educational programs.

3. Students with disabilities, whenever appropriate, should participate in planning for their transition from school to adulthood to ensure a satisfactory quality of life.

Recommendations for School Officials and Educators (e.g., School Teachers, Systemwide Administrators, Higher Education Personnel, State/Local Education Agency Personnel)

1. State/local education agency personnel must ensure that they establish and maintain effective partnerships with parents. They should facilitate ongoing, two-way communication, including full and clear information about student and parent rights under federal and state special education laws.

2. Systemwide administrators must provide continuous, state-of-the-art inservice training and support for regular education instructional staff to guarantee successful and full inclusion of students with disabilities into regular classroom settings.

3. Higher education personnel must develop preservice teacher training programs based on proven teacher preparation practices and in collaboration with state/local education agencies and school districts that meet the unique and diverse needs of student populations.

4. State and local school districts must ensure that their personnel become familiar with available and appropriate community resources that facilitate successful transitions of students with disabilities to adult life.

Recommendations for Agents of School Reform (e.g., Teacher Associations, National Education Goals Panel, State Reform Advisory Boards)

1. Agents for school reform should provide long- and short-term reform proposals that articulate how students with disabilities will be specifically included in federal, state, and local initiatives.

2. Agents for school reform should support the design of reform proposals that are based on detailed implementation strategies and realistic assumptions regarding efficacy of reform.

3. Agents for school reform should ensure that students with disabilities and their parents, educational practitioners, and school-based supervisors are empowered to establish and approve all school reform initiatives.

4. Agents for school reform should encourage private foundations to develop and/or continue their cooperative partnerships with public agencies to focus on reform initiatives involving students with disabilities and their parents.

Recommendations for Researchers

1. Researchers should ensure proportional representation of students with disabilities and other traditionally underrepresented student populations in any and all data collection activities that are conducted by federal education agencies; these projects must be designed in such a way that the activities respect the dignity, self-worth, and unique accommodations required by the students.

2. Researchers should develop integrated, reliable management information systems that encourage and allow an open exchange of data across and within levels of government when planning and implementing programs that accommodate students with disabilities and other students who are traditionally neglected and underrepresented.

3. Researchers should conduct a nationally representative survey that includes students, parents, advocates, education staff, school system administrators, and policymakers and that can be used by systems of government to judge the effectiveness of public education programs for students with disabilities and other students who receive special education services.

INTRODUCTION: OVERVIEW OF PUBLIC EDUCATION FOR INDIVIDUALS WITH DISABILITIES

As early as the 1820s, support was growing for free public schools. By the 1850s, a number of states had enacted compulsory attendance laws; yet the majority of children and youth with disabilities did *not* receive a free public education. The relatively few families whose children with disabilities attended schools were rarely consulted when educational decisions were made about their children's education. This situation continued throughout the 19th century and for the first half of the 20th century.

Since 1945, there has been an ongoing national struggle between educational policies promoting *"excellence"* and those policies promoting *"equity"* in the public schools. Proponents of "excellence" policies want school standards steadily raised so that schools become more academically demanding. Proponents of "equity" policies want public schools to offer programs appropriate for all students (e.g., Native American Indian, African-American, Hispanic, disabled, at-risk, and homeless students), so that all children and youth can benefit from public education. Overall, more students could achieve moderate success, graduate, and assume more productive adult roles in society.[1]

Some groups of students were treated differently from other groups of students in terms of access to free public schools. For example, many disagreements involved access to free public education for African-American children and youth. It appears that many African-American children, including those with disabilities, were being channeled or "tracked" into special classes.[2] These practices were addressed, indirectly, by the federal government in the case of *Brown v. Board of Education* in 1954. Subsequently, through the passage of **P.L. 88-352** the Civil Rights Act of 1964, the federal government authorized the U.S. Commissioner of Education to provide support to local and state school districts in their efforts to comply with the racial desegregation of America's public schools. As a by-product of the racial desegregation ruling of *Brown*, tracking children into separate (special) education classes was not to be permitted.

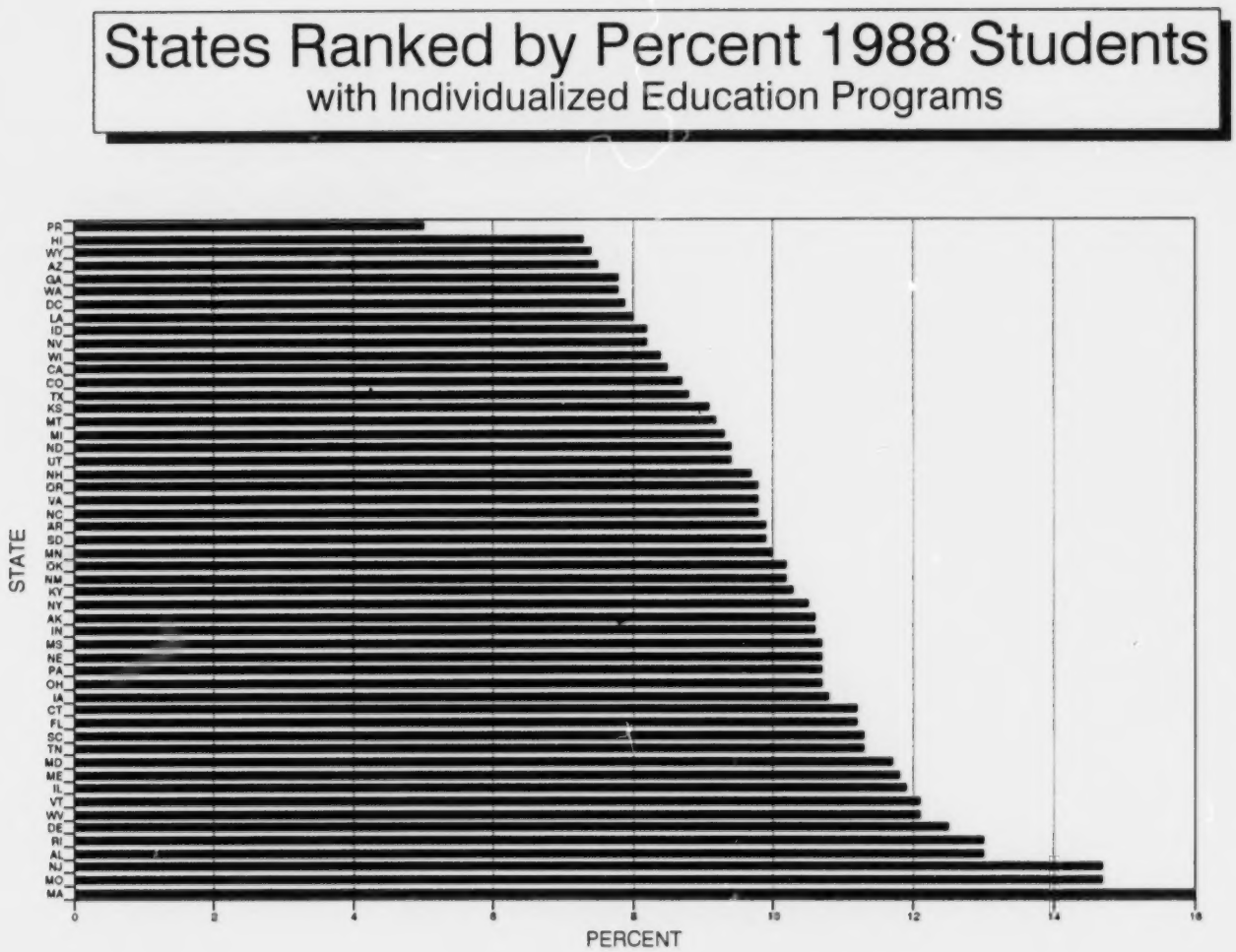
By 1964, the total number of children and youth in special education programs in America was slightly in excess of 2.1 million, while the number of all students in public education programs topped the 40 million mark (National Center for Educational Statistics 1990). In response to the growing legal and political pressures from parents, educators, and individuals with disabilities, Congress engaged in a succession of legislative efforts aimed at promoting policies of equity on behalf of children and youth with disabilities.

In 1965, Congress passed the Elementary and Secondary Education Act (**P.L. 89-10**), which funded state and local school districts to develop programs for children who were economically disadvantaged and for children and youth with disabilities. In 1966, an Amendment to Title I of the Elementary and Secondary Education Act (**P.L. 89-313**) provided funding for state-supported programs in institutions and other settings for children and youth with disabilities; another 1966 Amendment (**P.L. 89-750**) created the Bureau of Education of the Handicapped; and a 1969 Amendment (**P.L. 91-230**) recognized children and youth with disabilities as a discrete population with special needs.

In 1975, the enactment of the Education for All Handicapped Children Act (**P.L. 94-142**) marked the beginning of public education services to all school-age children and youth, regardless of disability. Under this federal law, as well as complementary state laws, a number of provisions were made, including procedural safeguards for parents and students, education in the least restrictive environment (LRE), and an individualized education program (IEP). Each of these provisions reflected a belief that *active* parent participation was a vital element in ensuring free, appropriate public education for their sons and daughters and potentially necessary to control for violations of **P.L. 94-142** provisions by school districts.

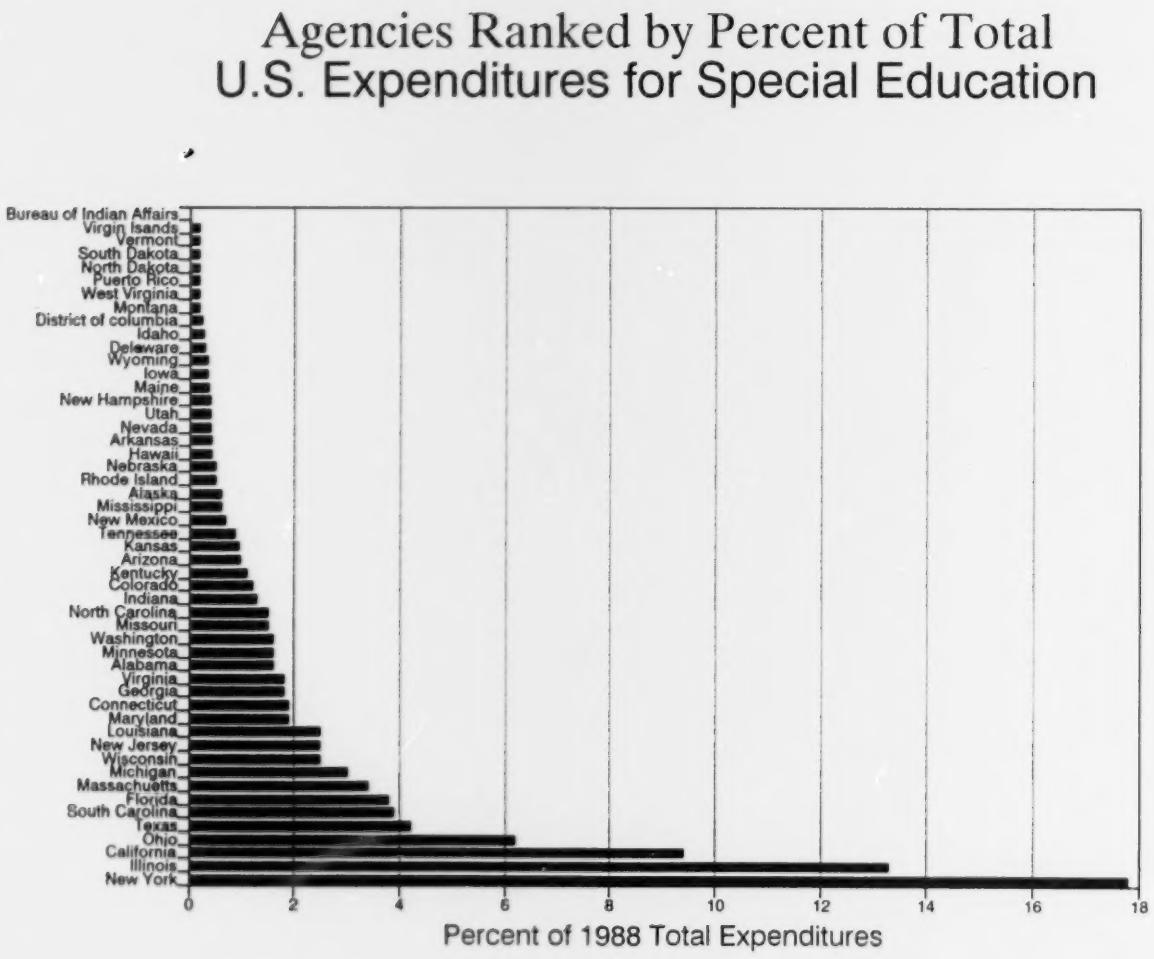
From 1976 to 1988, student enrollments in federally supported special education programs increased from 3.69 million in 1976 to 4.54 million in 1988. This represented an increase in the number of students served, as a percentage of total pupil enrollment in the nation, from 8.33% in 1976 to 11.4% in 1988. Figure 1A shows that state-to-state enrollments for the 1988 school year varied from 5% to as high as 16% among states; within-state variations in student enrollment practices were even higher. Figure 1B shows that special education expenditures for the 1988 school year varied from less than .1% to 17% of the total proportion of state::national costs.

Figure 1A



Source: Westat, Inc. (1991)

Figure 1B



Source: Westat, Inc. (1991)

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STUDENTS WITH DISABILITIES: CURRENT STATUS

This study considers four policy themes: the individualized education program, the concept of least restrictive environment, the procedural safeguards system, and multicultural and multidisciplinary issues. These four themes represent major elements of federal special education law and are interdependent in nature. By law, they must be implemented in a systematic manner by school systems for children and youth with disabilities who have special education needs.

Theme 1 - Development of the individualized education program (IEP) and its impact, or the lack thereof, on the quality of education and related services for students

Federal law requires states and local school districts to develop an IEP for every eligible student, at least annually, at a meeting between a qualified representative of the local school district, the teacher, the parents or guardians, and, whenever appropriate, the student. The *key assumptions* behind this policy of requiring an IEP for every student who receives special education and related services are the following:

- Parents and their children are a unique source of information about their needs and aspirations and must be included in all educational decision-making efforts.
- The IEP serves as a tool for accountability and as a means to monitor student achievement.
- There are no systematic differences in human learning potential other than those random differences that exist between individuals.
- School environments can be created where students can achieve desired levels of learning in a reasonably designed curriculum.

The minimal technical requirements for the structure of an IEP for each student include (1) a statement of the present levels of educational performance of the student; (2) a statement of annual goals, including short-term instructional objectives; (3) a statement of the specific educational services to be provided to the student, and the extent to which the student will be able to participate in regular education programs; (4) the projected date for initiation and anticipated duration for such services; and (5) appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether instructional objectives are being achieved [United States Code Sec. 1401(b)(2)].

There is a small but growing body of research data and expert opinion that focuses on the development of the IEP and its impact on the quality of education and related services for students. Beginning with the Supreme Court decision in the case of *Board of Education v. Rowley* (102 S.Ct. 3034, 1982), lower level courts and administrative hearing bodies increasingly have begun to rely on expert testimony to evaluate the quality of an IEP and to judge whether an IEP was designed for a student's educational progress.

For example, in *Carter v. Florence County School District Four* [(D.S.C. 1991) 17 IDELR 452], a federal court held that a proposed IEP was inappropriate because it would not result in educational progress for a student with a learning disability. The court argued that in the particular education placement, the student's IEP should have been designed to allow the student to earn passing marks and to advance from grade to grade. A second example is the case of *Angevine v. Jenkins* [(D.D.C. 1990; 752 F. Supp. 24; 5th Cir. 1990) 17 IDELR 444], in which a court held that a school district must not fail to consider a student's potential for educational progress and advancement in developing the student's program that would ensure a free, appropriate public education.

In addition to the increase in the number of cases similiar to those cited above, there is further documented laxity by school districts in adhering to the federal mandates for the development and implementation of IEPs. In the 26 *Final State Compliance and Monitoring Reports* issued by OSEP from April 1989 to February 1992, *150 of 165 local public agencies visited--involving an analysis of 1,618 student IEPs--were cited to be in varying degrees of noncompliance with federal and state IEP mandates.*

Table 1 presents the percentage of IEP elements for each of the 26 states cited as being in noncompliance with federal special education law. Part A in the supplement contains similar information for the 165 local school districts visited by the OSEP monitoring and compliance team. It indicates that there is great variance among and within states regarding the degree of compliance with and integrity of implementation of federal- and state-mandated IEP requirements.

A recent study by the Regional Office of the Inspector General for Audit, Region VI, Department of Education, reports that more than 9% of students with disabilities either do not have a current IEP or have not been properly evaluated. Table 2 presents an analysis of the *1991 Regional Inspector General's Audit of Child Count Errors Report* across 21 states, 40 local school districts, involving 2,000 students with IEPs. Without the IEP and evaluation to rely on, policymakers and others find it difficult to determine whether students are receiving adequate programs and services.[3]

Table 1

PERCENT INDIVIDUALIZED EDUCATION PROGRAM ELEMENTS CITED IN NONCOMPLIANCE (26 EDUCATION AGENCY MONITORING REPORTS)

	CONTENT REQUIREMENTS						
Agency	Present levels of performance	Annual goals	Special education and related services	Objective criteria	Evaluation procedures	Evaluation schedule	Regular education participation
ARKANSAS	38	30	na	64	33	87	52
CALIFORNIA	28	9	51	44	21	24	32
CONNECTICUT	na	na	na	na	na	na	na
DELAWARE	20	na	11	12	34	89	na
HAWAII	na	na	na	35	23	67	na
IDAHO	17	42	57	98	100	98	na
ILLINOIS	21	75	14	10	na	20	15
IOWA	na	na	26	65	82	81	na
LOUISIANA	25	42	69	19	na	83	na
MAINE	na	na	na	na	na	na	na
MARYLAND	22	87	21	12	7	65	41
MASSACHUSETTS	38	30	na	64	33	87	52
MICHIGAN	92	na	65	96	na	71	na
MINNESOTA	51	55	64	96	na	71	na
MONTANA	na	na	na	na	100	100	na
NEW HAMPSHIRE	46	na	na	27	36	61	na

Table 1

PERCENT INDIVIDUALIZED EDUCATION PROGRAM ELEMENTS CITED IN NONCOMPLIANCE
(continued)

Agency	Present levels of performance	Annual goals	Special education and related services	Objective criteria	Evaluation procedures	Evaluation schedule	Regular education participation
NEW JERSEY	na	na	na	7	na	na	54
NEW MEXICO	55	na	45	45	75	75	na
NEW YORK	na	14	na	21	21	45	na
NORTH CAROLINA	37	41	50	39	13	91	na
PUERTO RICO	na	na	na	na	na	na	na
SOUTH CAROLINA	28	11	na	25	90	82	27
SOUTH DAKOTA	27	17	na	25	90	82	27
UTAH	na	na	45	40	71	56	45
VIRGINIA	18	46	15	na	na	na	na
WYOMING	35	na	25	na	na	na	23
Average	35	38	40	37	50	66	36

7 requirement areas for Individualized Education Program (IEP) content (C.F.R. 300.346 a-e)
26 state education agencies involved
165 local education agencies involved
1,618 individualized education programs reviewed

na = not available in state report
Time period = April 1989 to February 1992 (34 months)
Percentage rounded to nearest whole number

Source: U.S. Department of Education, Office of Special Education Programs (1992)

Table 2

ANALYSIS OF THE 1991 REGIONAL INSPECTOR GENERAL'S AUDIT OF (IDEA) CHILD COUNT ERRORS

States	No evaluation or reevaluation	No current IEP	No documentation	Not receiving services	State error percentages
MA	43	0	2	2	19.5
NY	27	5	0	3	14.5
CA	10	6	2	17	14.5
PA	2	10	3	6	8.7
AL	0	1	11	11	9.5
NM	7	3	0	0	4.2
IN	1	0	1	7	3.7
IL	8	0	1	3	5.0
VA	3	2	1	1	2.9
TX	0	0	1	4	2.1
CO	0	0	0	1	0.04
MO	0	5	0	0	2.1
OH	5	1	0	5	4.5
CT	4	0	0	1	2.1
MI	0	4	0	0	1.7
KY	0	0	3	0	1.2
TN	0	0	4	0	1.7
NC	0	4	0	0	1.7
SC	0	0	0	0	0.0
FL	0	0	0	0	0.0
VT	0	0	0	0	0.0
	110	41	29	61-241	

1991 Audit sample: 21 states, 40 local school districts, and 2000 students with IEPs

Source: Office of the Inspector General (1992)

States' monitoring responsibilities include recapturing state and federal funds improperly used by public agencies, such as those identified in the *1991 Regional Inspector General's Audit*. For example, Minnesota's Office of Monitoring and Compliance and the Aids, Data, and Technology Unit determined that special education funds were improperly spent. As a result, the Minnesota Department of Education recaptured these funds: $225,502 (1987-1988), $349,081 (1988-1989), and about $30,000 in child count funds for the 1989-1990 school year (*1991 Final State Monitoring and Compliance Report*, Minnesota Department of Education: pp. v-vi). Every state is expected to engage in such monitoring efforts.

Theme 2 - The concept of least restrictive environment (LRE) and its impact, or lack thereof, on education for students

Federal law requires school districts to develop and implement LRE procedures to ensure that, to the maximum extent appropriate, children and youth with disabilities will be educated with children and youth who are not disabled. In addition, federal requirements stipulate that special classes, separate schooling, or other removal of students with disabilities from the regular educational environment will occur only when the nature or severity of a student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily [United States Code Secs. 1412(5)(B) and 1414(a)(1)(C)(iv)].

The *key assumptions* behind the policy of requiring an emphasis on LRE for every student who receives special education and related services are the following:

- Segregation of students with disabilities, per se, represents an unwarranted or unnecessary restriction on students' rights and is harmful.

- Children and youth with disabilities benefit when they associate with their nondisabled peers. Students with disabilities need to be educated in environments that promote interactions with nondisabled peers and enhance the social status of students with disabilities.

- Decisions about LRE for any student entitled to receive special education and related services must be based on (1) the individual's unique educational strengths, weaknesses, and needs, and (2) the identification of a particular environment, from among a continuum of educational settings, that provides the student with a free, appropriate public education.

When OSEP monitored 26 states between April 1989 and February 1992, *143 of 165 local education agencies were cited by OSEP to be in varying degrees of noncompliance with federal and state LRE mandates.* Corrective actions by the state agencies are typically required by OSEP to be made within one year of the date of issuance of OSEP's final monitoring report to a state.

Table 3 presents findings regarding these two most frequently cited areas of noncompliance with LRE mandates according to the 26 *Final State Monitoring and Compliance Reports: (1) following the improper sequence of making eligibility determinations; placing students and then developing students' IEPs; and (2) automatically placing students with certain disability labels (e.g., mental retardation, serious emotional disturbance, orthopedic impairments) into separate classes or schools.* Various local school districts reported three general reasons for noncompliance: *(1) accessibility problems with public schools, (2) systemic-related service configuration patterns, and (3) preexisting transportation service arrangements.*

It is hoped that recent improvements with OSEP's monitoring of states' special education programs will dramatically enhance the federal-state partnership's implementation of LRE mandates.[4] It is also expected that current implementation of Titles II and III of the Americans with Disabilities Act (ADA), **P.L. 101-336** [42 United States Code 1213 et seq.], will compel schools to meet accessibility requirements by making reasonable modifications to achieve the removal of architectural, programmatic, and transportation barriers. The Office of Civil Rights staff memorandum of March 8, 1991, may provide guidance to school districts interested in program accessibility requirements and standards in this regard (17 IDELR 613). In addition, the Department of Education recently awarded $4.5 million in grants for 16 projects to assist in the implementation of the ADA.

The OSEP also maintains a complex federal data base that reflects the numbers of students with disabilities placed in any one of eight different educational settings in the nation. The logic behind the structure of the LRE data system is unclear. The manner in which students are counted and reported to be "placed" in one of the educational settings is based on confusing criteria and guidelines established in the early 1980s. Comparing the federal LRE data reporting system with that of state and local school districts is difficult. Also, it does not seem that federal/state LRE data system criteria and guidelines are based on rationale related to how effectively schools daily serve students. Additionally, the LRE data reported annually to Congress are typically two years old and incomplete.

Table 3

MOST COMMONLY CITED LEAST RESTRICTIVE ENVIRONMENT (LRE) AREAS OF NONCOMPLIANCE (26 EDUCATION AGENCY MONITORING REPORTS)

AGENCY	Most commonly cited noncompliance area: Improper sequence of making eligibility determination, placing student, developing Individualized Education Program (IEP)	Second most commonly cited noncompliance area: "Automatically" placing students with certain disabilities in separate classes or settings	Student disability groups affected by noncompliance
Arkansas	X	X	
California	X	X	Mental retardation
Connecticut	X	X	Mental retardation
Delaware	X	X	Mental retardation, visual impairments
Hawaii	X	X	Orthopedic impairments, mental retardation
Idaho	X		Deaf-blindness, serious emotional disturbance, severely disabled (sic)
Illinois	X	X	Mental retardation, orthopaedic impairments
Iowa		X	
Louisiana	X		Behavior disorder
Maine	X	X	Severe/profound physical or mental disability
Maryland	X	X	
Massachusetts	X	X	
Michigan	X	X	Other health impairments, orthopedic impairments
Minnesota	X	X	
Montana	X	X	Visual impairments, communication disorders, mental retardation

Table 3

MOST COMMONLY CITED LEAST RESTRICTIVE ENVIRONMENT (LRE) AREAS OF NONCOMPLIANCE (26 EDUCATION AGENCY MONITORING REPORTS)
(continued)

AGENCY	Most commonly cited noncompliance area	Second most commonly cited noncompliance area	Student disability groups affected by noncompliance
	Improper sequence of making eligibility determination, placing student, developing Individualized Education Program (IEP)	"Automatically" placing students with certain disabilities in separate classes or settings	
New Hampshire		X	
New Jersey	X	X	Mental retardation
New Mexico		X	
New York	X	X	Mental retardation
North Carolina	X	X	Mental retardation, multiple disabilities
Puerto Rico		X	
South Dakota	X	X	Orthopedic impairments
South Carolina	X	X	Orthopedic impairments, mental retardation
Vermont	X	X	Mental retardation, multiple disabilities
Virginia	X	X	Mental retardation
Wyoming		X	

Note: Blank cells represent information not available.
Source: U.S. Department of Education, Office of Special Programs (1992)

These conditions pose serious disadvantages to those who rely on OSEP's LRE data base. A cross-check review of OSEP's LRE data base with the data presented in the *1991 Regional Inspector General's Audit Report* suggests that *(1) local school districts with higher proportions of students with IEPs seem to be at risk for greater percentages of error and (2) there appears to be a degradation of services in school districts where there are higher proportions of students with IEPs*. The unexplained differences in OSEP's LRE data base are also affected by, or reflected in, unexplained differences in OSEP's personnel supply-demand data base.

A review of OSEP's LRE data base for 1986-1989 suggests that year-to-year differences in the number of students in education placements appear to be occurring within and across states. *Preliminary findings indicate 194 unexplained differences in number counts and 787 unexpected differences in placements, involving 410,767 students with disabilities.*

Figure 2 represents the number of unexplained shifts in the enrollment numbers of students, by state, for the period 1986-1989. Figure 3 represents the number of unexplained placement shifts, by state, for 1986-1989. Shifts of 10% or greater were considered to be differences unexplained by random variation. Several examples of unexplained year-to-year differences are as follows:

- In one state for the 1988-1989 school year, the number of students with speech impairments decreased by 22,952, while the number of students with visual impairments increased by 22,696.

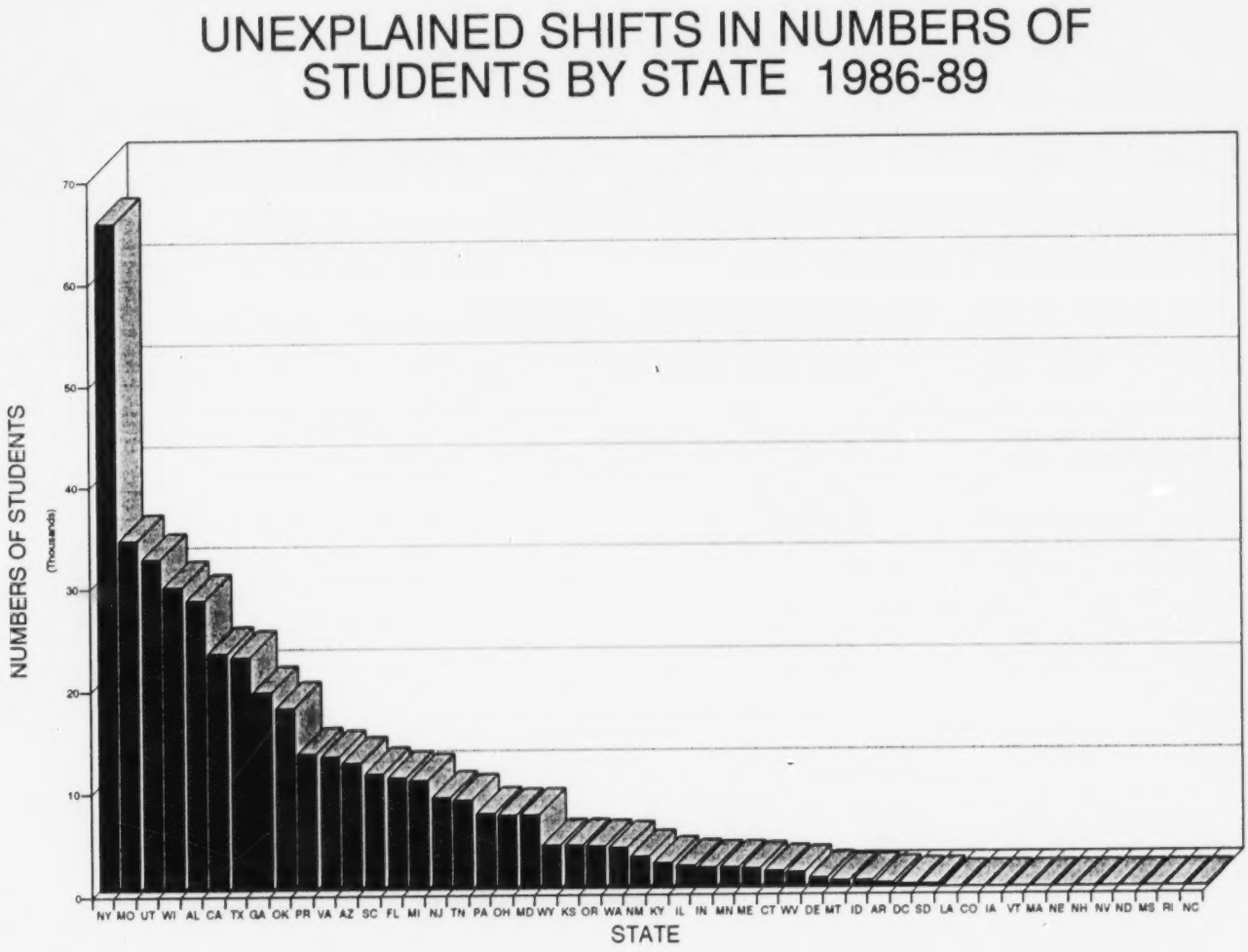
- The Bureau of Indian Affairs reported no LRE data during the 1988 school year.

- In another state for the period 1986-1989, no students were reported to have been served in residential or home and hospital educational placements.

- In another state for the 1987-1988 school year, placements of students labeled with "specific learning disability" decreased from 90.64% to 32.38% in resource rooms and increased from .06% to 53.75% in separate classes.

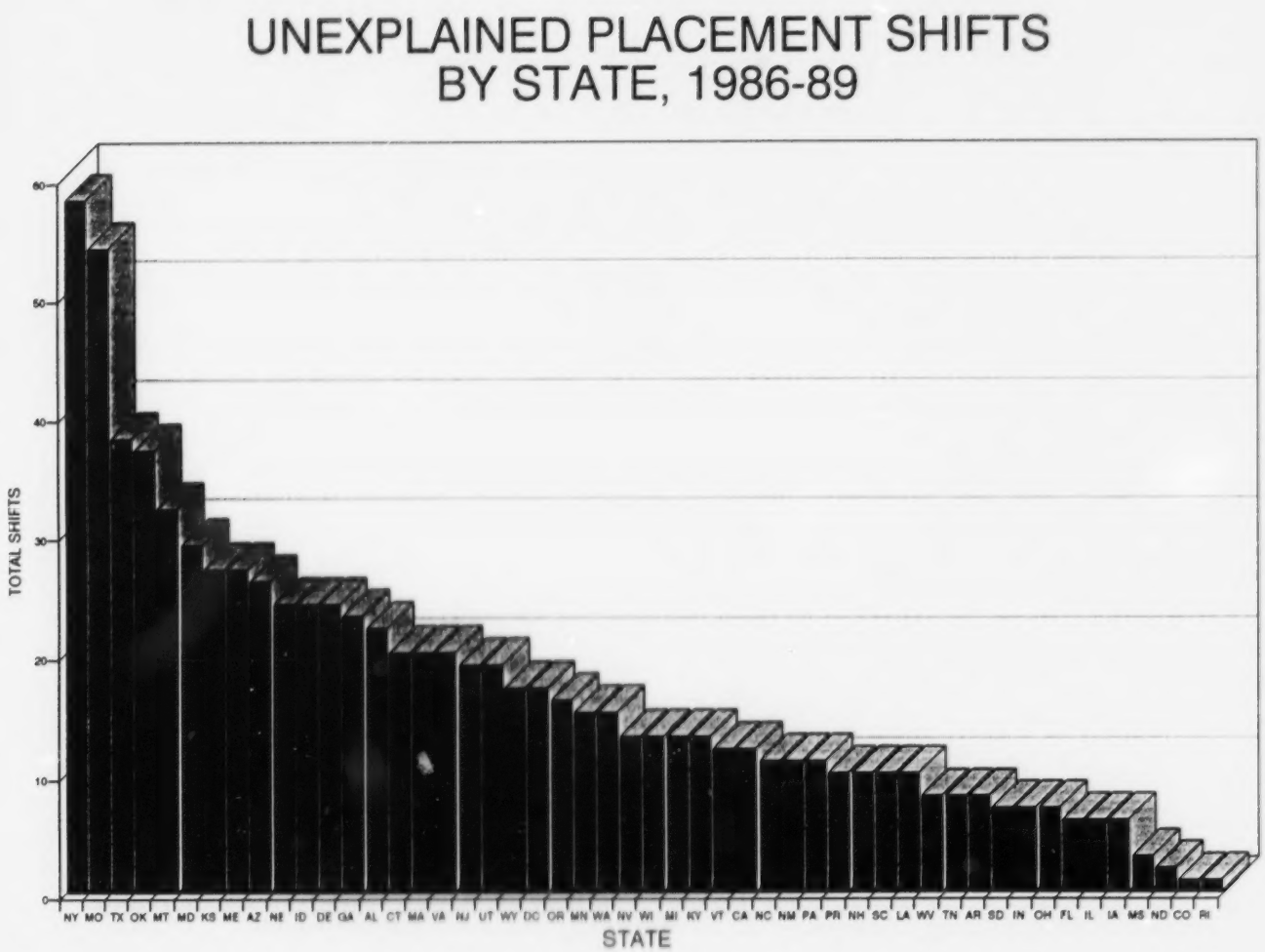
- In another state during the 1986-1989 period, placements of students with multiple disabilities increased from 9.24% to 100% in residential settings.

Figure 2


UNEXPLAINED SHIFTS IN NUMBERS OF STUDENTS BY STATE 1986-89
NUMBERS OF STUDENTS
(Thousands)
70
60
50
40
30
20
10
0
NY MO UT WI AL CA TX GA OK PR VA AZ SC FL MI NJ TN PA OH MD WY KS OR WA NM KY IL IN MN ME CT WV DE MT ID AR DC SD LA CO IA VT MA NE NH NV ND MS RI NC
STATE

Source: Westat, Inc. (1991)

Figure 3


UNEXPLAINED PLACEMENT SHIFTS
BY STATE, 1986-89
TOTAL SHIFTS
0
10
20
30
40
50
60
NY MO TX OK MT MD KS ME AZ NE ID DE GA AL CT MA VA NJ UT WY DC OR MN WA NV WI MI KY VT CA NC NM PA PR NH SC LA WV TN AR SD IN OH FL IL IA MS ND CO RI
STATE

Source: Westat, Inc. (1991)

These unexplained differences in number counts and placements have significant policy implications and raise questions about accountability.[5] Where are students being served? How are students affected by incorrect placement? There are three possible explanations for these unexplained differences: (1) students are leaving school systems in unidentified ways, (2) students are not being counted or are being counted in a nonsystematic way (identified by the Inspector General's Audit), and (3) students are in undocumented educational placements.

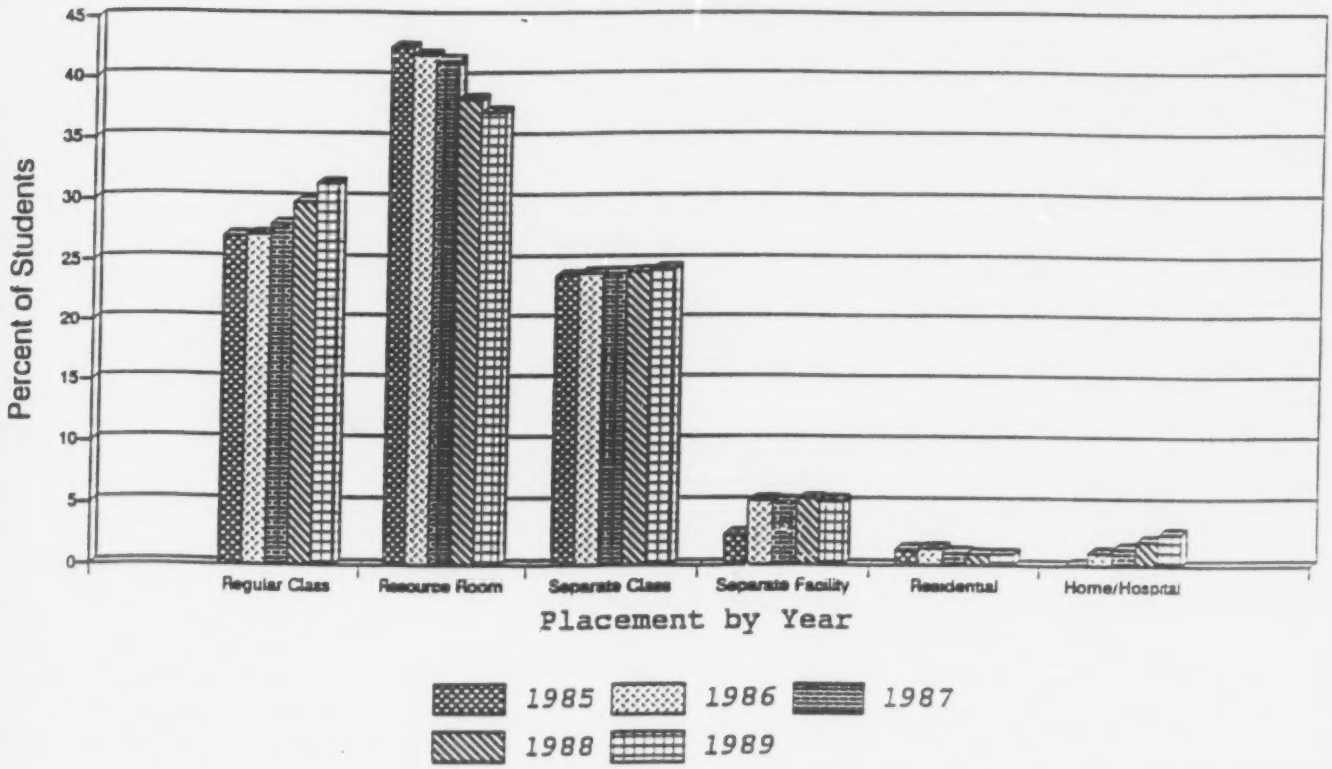
Figure 4, "National Student Placements--All Disabilities," reports LRE data for 10 different student groups. An inspection of Figure 4 reveals the following overall trends for the years 1985-1989:

- *Regular class placements increased from 27% to 31.3%.*
- *Resource room placements decreased from 42.5% to 37.3%.*
- *Separate class placements increased from 23.8% to 24.4%.*
- *Separate facility placements remained at 5.2%.*
- *Residential facility placements decreased from 1.3% to .9%.*
- *Home or hospital placements increased from .08% to 2.6%.*

Part B in the supplement contains a set of 70 student placement bar graphs (10 bar graphs for the nation, 60 bar graphs for a sample of six states) that depicts the placements of students with disabilities who receive special education services. An inspection of the student placement graphs across student groups reveals the nationwide placement trends for students shown in the next chart:

Figure 4

Student Placements 50 States, D.C. & P.R.
All Disabilities 1985-89



* Regular Class includes students who receive a majority of their education in a regular class and receive special education and related services for less than 21 percent of the school day. It includes children placed in a regular class.

* Resource Room includes students who receive special education and related services for 21 percent to 60 percent of the school day. This may include resource rooms with part-time instruction in the regular class.

* Separate Class includes students who receive special education and related services for more than 60 percent of the school day and are placed in self-contained special classrooms with part-time instruction in regular class or are placed in self-contained classes full-time on a regular school campus.

* Separate Facility includes students who receive special education and related services in separate day schools for the handicapped for more than 50 percent of the school day.

* Residential includes students who receive education in a public or private residential facility at public expense for more than 50 percent of the school day.

* Home/Hospital includes students placed in and receiving education in a hospital or homebound programs.

Source: Westat Inc. (1991)

	MOST COMMON PLACEMENT		
Disability	**Regular Class**	**Resource Room**	**Separate Class**
Learning Disabilities		X	
Speech Impairments	X		
Mental Retardation			X
Emotional Disturbance			X
Hearing Impairments			X
Multiple Disabilities			X
Orthopedic Impairments			X
Other Health Impairments	X		
Visual Impairments	X		
Deaf-Blind			X

Figure 5, "National Student Placements--All Disabilities by Age Group," reports national LRE data for all students by age group (i.e., 3-5 years, 6-11 years, 12-17 years, and 18-21 years) who received special education and related services for the year 1989. An inspection of Figure 5 reveals the following trends in the nation for students, by age group, for the year 1989:

- *The 3-5-year-olds are most often (42%) placed in regular classroom environments.*
- *The 6-11-year-olds are most often (41%) placed in regular classroom environments.*
- *The 12-17-year-olds are most often (45%) placed in resource room environments.*
- *The 18-21-year-olds are most often (35%) placed in resource room environments.*

Figure 5

Student Placements 50 States, D.C. & P.R. All Disabilities by Age Group 1988-89

* Regular Class includes students who receive a majority of their education in a regular class and receive special education and related services for less than 21 percent of the school day. It includes children placed in a regular class as well as children placed in a regular class.

* Resource Room includes students who receive special education and related services for 21 percent to 60 percent of the school day. This may include resource rooms with part-time instruction in the regular class.

* Separate Class includes students who receive special education and related services for more than 60 percent of the school day and are placed in self-contained special classrooms with part-time instruction in regular class or are placed in self-contained classes full-time on a regular school campus.

* Separate Facility includes students who receive special education and related services in separate day schools for the handicapped for more than 50 percent of the school day.

* Residential includes students who receive education in a public or private residential facility at public expense for more than 50 percent of the school day.

* Home/Hospital includes students placed in and receiving education in a hospital or homebound programs.

Source: Westat Inc. (1991)

Part B in the supplement depicts the placements of students with disabilities, by age group, who received special education services. An inspection of these graphs across disability categories and age groups reveals that overall national placement patterns are similar to the most common placement patterns with one exception: older students labeled deaf-blind were in more restrictive placements.

Figures 4 and 5 and Part B in the supplement indicate that a large amount of state-to-state variation exists in the placements of students with disabilities across the range of educational settings. An important question for future study is, "Why do the placements of students with similar needs vary from state to state?" It appears that there is a relationship between school districts' implementation of LRE mandates--reflected in Table 3--and the pattern of nationwide student placement trends depicted above.

In many states, an even greater issue for future study involves students with disabilities who are placed in correctional facilities and who are at risk of being overlooked by education systems at the state level and by policymakers at the federal level.[6] For example, until 1990 the OSEP LRE data base reported on students with a range of disabilities in correctional facilities from state to state. *Beginning in 1990, in the 12th Annual Report to Congress on the Implementation of the IDEA, student placement data were no longer reported by disability category in correctional facilities in each state.* This unexplained change in reporting may very well result in a potential undercount and/or a lack of services provided to thousands of youth with disabilities.

Theme 3 - An evaluation of the procedural safeguards system under the Individuals with Disabilities Education Act and what impact that system has on parents of students with disabilities.

The procedural safeguards are the cornerstone for equal access for parents of children and youth with disabilities to special education and related service programs. Federal law requires state and local education agencies to establish a formal system of procedural safeguards. The basic list of procedural safeguards includes notification, evaluation and placement, periodic evaluation and reevaluation, access to and confidentiality of records, surrogate parents, prior notice, parent consent, content of notice, access to due process hearings, hearing rights, and right to civil action [United States Code Sec. 1415].

Procedural safeguard systems establish the right of a parent (or a school system) to protest certain government actions that could affect a child's right to special education under federal laws. For example, parents who believe their child will be tested can expect to be notified in advance of the reason for and the type of testing to be given. The notice to parents should be complete and

understandable. If parents feel the testing will be discriminatory and harmful to their child, they can exercise their due process right to air their grievance in a formal hearing (e.g., *Tustin (CA) Unified School District*, 16 IDELR 1335, Office of Civil Rights, 1990). Without such a means to challenge the range of discriminatory practices that education systems have historically used, the right to a free, appropriate public education under federal law would be rendered meaningless.

The *key assumptions* underlying the policy of requiring public education agencies to adopt procedural safeguards are the following:

- Children and youth with disabilities and their families need ways to challenge school system practices that are not in the best interests of students with disabilities.

- Parents should receive meaningful notice of proposed actions regarding their child's special education and related services program. Such notice to parents should involve a detailed explanation, an articulation of reasons for the proposed action(s), and a discussion of any available alternative educational opportunities. Notice to parents should be communicated effectively to all parents, including those who cannot read English or those who cannot read at all.

- An impartial due process hearing review system must be available to parents, guardians, or surrogates, as well as to school systems, to present and settle any complaints relating to any matter about a student's identification, evaluation, placement, or right to a free, appropriate public education.

The 26 *Final State Compliance and Monitoring Reports* issued by the OSEP from April 1989 to February 1992, indicated that *152 of 165 local public agencies visited were cited as being in varying degrees of noncompliance with federal and state mandates regarding the Individuals with Disabilities Education Act procedural safeguards system*. Table 4 presents the results of those 26 *Final State Reports* in terms of (1) the percentage of mandated procedural safeguards not established, and (2) the percentage of procedural safeguards not included in notices given to parents.

Table 4 shows that substantial state-to-state variation exists in current implementation of federal and state procedural safeguard requirements.

Table 4

OSEP'S 26 EDUCATION AGENCY MONITORING REPORTS
AREAS OF PROCEDURAL SAFEGUARDS CITED
AS IN NONCOMPLIANCE

Agency	Percent procedural safeguards not established	Percent procedural safeguards not included in notices to parents
ARKANSAS	54	na
CALIFORNIA	67	55
CONNECTICUT	na	94
DELAWARE	41	41
HAWAII	na	39
IDAHO	73	83
ILLINOIS	48	47
IOWA	45	36
LOUISIANA	38	57
MAINE	na	91
MARYLAND	43	54
MASSACHUSETTS	81	67
MICHIGAN	na	68
MINNESOTA	48	77
MONTANA	na	82
NEW HAMPSHIRE	56	na
NEW JERSEY	na	na
NEW MEXICO	100	44
NEW YORK	59	31
NORTH CAROLINA	60	77
PUERTO RICO	na	77
SOUTH CAROLINA	35	na
SOUTH DAKOTA	69	51
UTAH	39	na
VIRGINIA	19	67
WYOMING	58	61
Average	54	62

Source: U.S. Department of Education, Office of Special Education Programs (1992)

Part C in the supplement contains similar data for the 165 local school agencies visited by the OSEP monitoring and compliance team. The effect of this situation on parents and families whose children receive special education and related services may well have an adverse impact on the quality or accessibility of instruction provided to students. Perhaps the 1991 Inspector General's findings, as discussed above, are examples of such an adverse impact on public education.

The National Association of State Directors of Special Education (1985) reported that fewer than 1% of parents of school-age children have requested due process hearings since 1975. Singer and Butler (1987) indicated that fewer than 5% of parents protested a placement decision or otherwise involved their school district in due process hearings. In the National Council on Disability's 1989 report to the President and the U.S. Congress, 6 of the 31 findings were related to problems with parental involvement and concerns regarding due process hearings.

Nevertheless, a small body of literature exists that suggests that parents are generally unsatisfied with the adversarial nature or costs of due process hearings to the family. As a result, some parents may opt for alternative dispute resolution hearings, such as mediation. According to the *1988 National Survey on Special Education Mediation Systems*, conducted by the NASDSE, at least 33 states have adopted some type of special education mediation system. Virtually all of the special education mediation systems and procedures are funded, organized, and implemented by state education officials who train, certify, and compensate mediators. Unlike formal due process hearings, the enforcement status of any mediation agreement is unclear. There are typically no written agreements or records from mediation sessions. An increasing number of states and territories are adopting mediation practices.

Another segment of the procedural safeguards system established by federal special education law involves secretarial review--review by the assistant secretary of OSERS--of parent and/or school district complaints. From 1981 through 1992, there have been 173 complaint requests for secretarial review.[7] *Of those 173 complaints, 156 (or 90%) have been requests for review made by parents or parent organizations and only 2 of the 173 requests for review have been granted.* No formal (written) operational criteria have existed, or exist now, that explain the types of complaint requests granted secretarial review or reasons for denying requests. The absence of formal criteria for granting secretarial reviews continues to pose a threat to parties who wish to rely upon the procedural safeguards system mandated by the IDEA.

Theme 4 - Multicultural and multidisciplinary issues related to the education of students with disabilities

One of the new provisions of the IDEA involves an emphasis on meeting the needs of traditionally neglected or underrepresented populations, such as minority groups, indigents, and those who have limited English proficiency. The *key assumptions* underlying the policy of requiring public education agencies to meet the needs of these populations are as follows:

- There is a growing need for better coordination in the provision of programs and personnel to students who are eligible for bilingual education and special education programs.

- Parents of students from newly defined disability groups (i.e., autism and traumatic brain injury) and parents of students from unrepresented disability groups (e.g., AIDS) are unique sources of information about their needs and aspirations and, therefore, must be meaningfully included in all educational decision-making efforts.

- Traditional tracking practices disproportionately affect low-income, Hispanic, and African-American children and youth.

- There are no systematic differences in human learning potential other than those random differences that exist between individuals.

- School environments can be created where students can achieve desired levels of learning through the use of reasonably designed and challenging curricula.

According to recent Census Bureau and Department of Education projections, the number of minority and traditionally disadvantaged individuals in the school-age population is expected to increase steadily in the decade(s) ahead.[8] According to some estimates, *by the year 2000 nearly one-third of all school-age children will be from minority populations*.[9] In addition, an increasing number of newborns who have unique disabilities (e.g., infants with HIV virus who have multidisciplinary needs) and individuals from groups recently defined in federal regulations (i.e., individuals with autism or traumatic brain injury) must be served by school districts (testimony of James R. Yates before U.S. House of Representatives Subcommittee on Education, February 20, 1990; *Federal Register*, Monday, August 19, 1991; p. 41266).

The shifting demographics among resident populations are forcing communities to rethink and redesign the structure of public service systems. In an increasing number of school districts, for example, students with limited

English proficiency who have disabilities may be entitled both to language-related remediation *and* special education programs. In other locales, coordinating and providing interagency services (e.g., early periodic diagnostic screening treatment through Medicaid-funded programs) for eligible children and families is proving to be a complex task, yet states are trying to establish and implement equitable service practices.

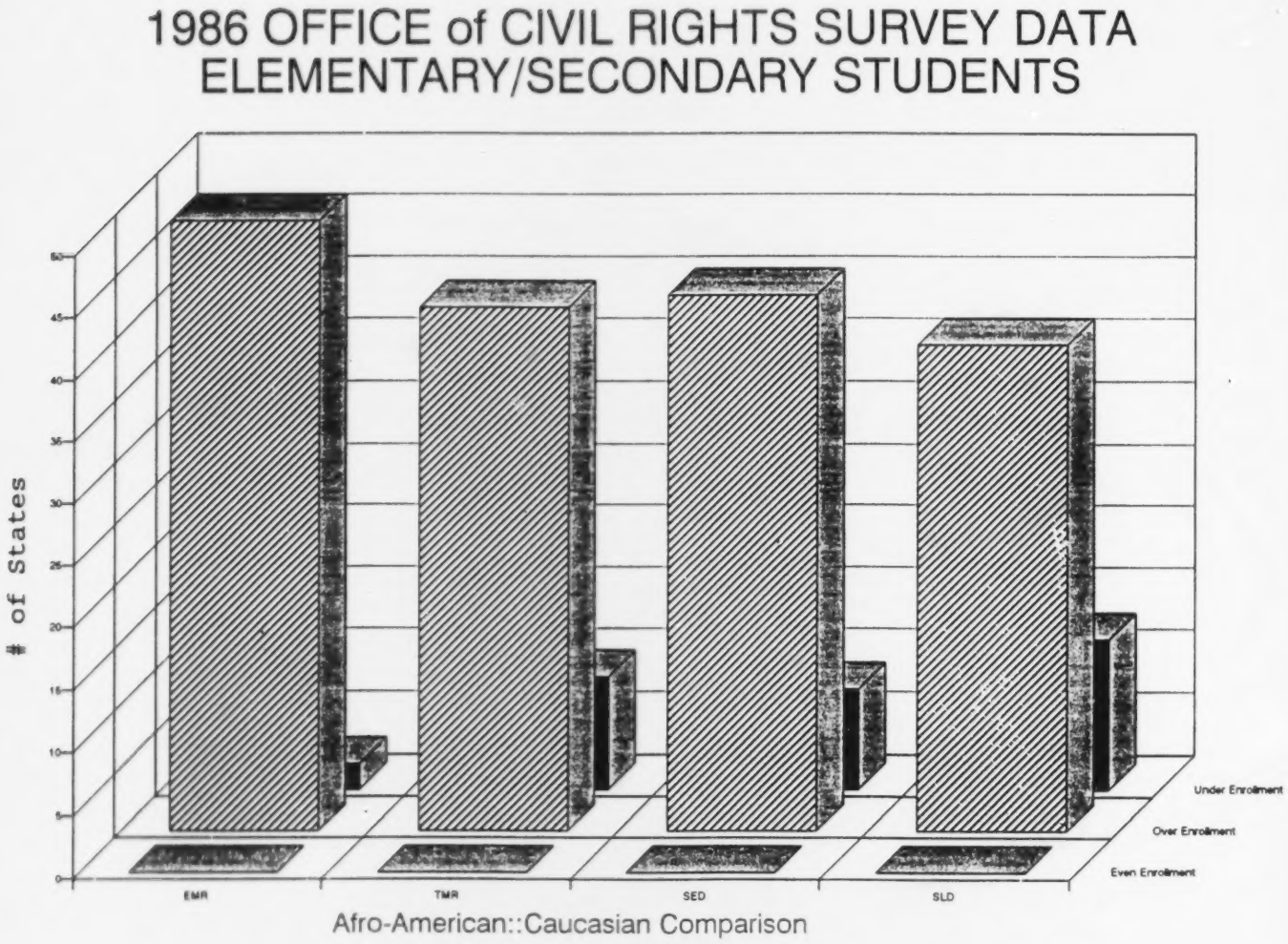
School enrollment trends suggest that some school districts are having difficulty delivering appropriate services to their increasingly diverse student populations. In some states, the percentage of students enrolled in special education has increased while the general school population has declined. For instance, a 1991 report issued by the Massachusetts Department of Education, *A Review of the Eligibility Criteria for Children with Special Needs*, noted that 17% of students ages 3 to 21 were taught in special education classes during the 1990-1991 school year. The report acknowledged that "overreferrals" to special education are a direct result of imprecise eligibility definitions, nonexistent or ineffective prereferral processes, and untrained or undertrained school personnel.

Disproportionate overrepresentation and underrepresentation of culturally and racially diverse student groups in special education programs may be caused by inaccurate perceptions of students' competencies and behaviors. The results of such a set of circumstances could be devastating to those children and youth who are inappropriately placed.[10] For example, the Department of Education's Office of Civil Rights' survey of 3,378 sample school districts, representing approximately 20% of all districts nationwide, reported total enrollment figures in racial groups and in four disability categories for the year 1986. Figures 6A and 6B represent a comparison of group enrollment patterns, by race and category, for students in the special education population. As reflected in Figures 6A and 6B, disproportionate enrollment patterns exist for certain racial groups of students.

Similarly, a survey of 51 urban school districts in 25 states reported percentage enrollment patterns for students in the special and general education populations (National School Board Association, 1990). Figure 7 represents a comparison of group enrollment patterns, within race, for students between the two school populations. As reflected in Figure 7, *disproportionate special education enrollment patterns exist for certain racial groups. These kinds of enrollment, ability-grouping, and/or academic tracking patterns, and the apparent lack of monitoring of these practices, may allow discriminatory practices to continue.*

Special education tracking practices, such as those depicted by the data in Figures 6A, 6B, and 7, disproportionately affect African Americans and Asian

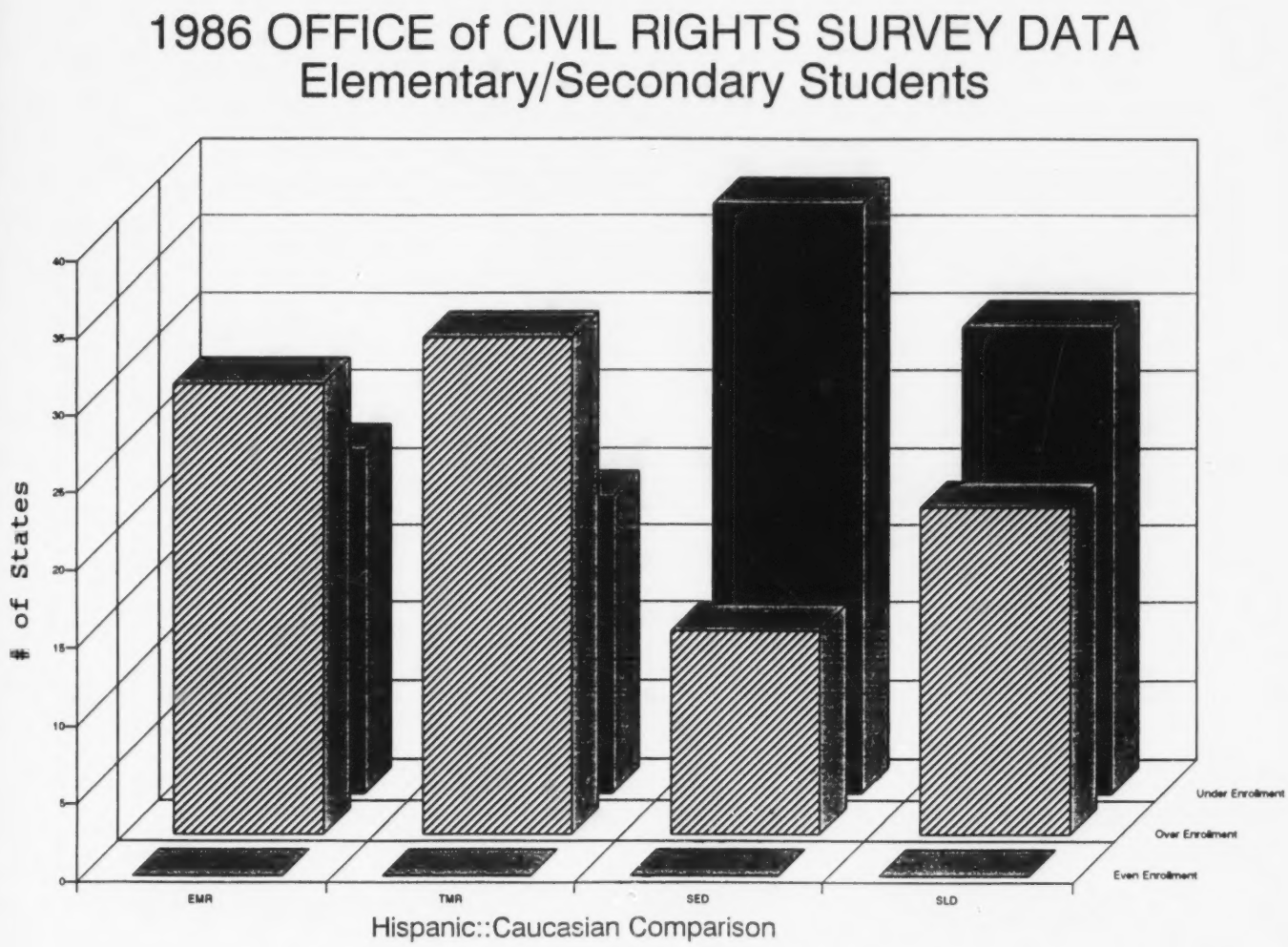
Figure 6A



Even enrollment refers to the even proportional representation of the two groups subject to comparison; e.g., if 50 percent of the school population were Caucasian, there would be **even enrollment** if 50 percent of those in a specific disability category were Caucasian. Likewise, there would be **underenrollment** if less than 50 percent were in the specific disability group or **overenrollment** if more than 50 percent were in the specific disability group.

Source: 1986 Office of Civil Rights Survey

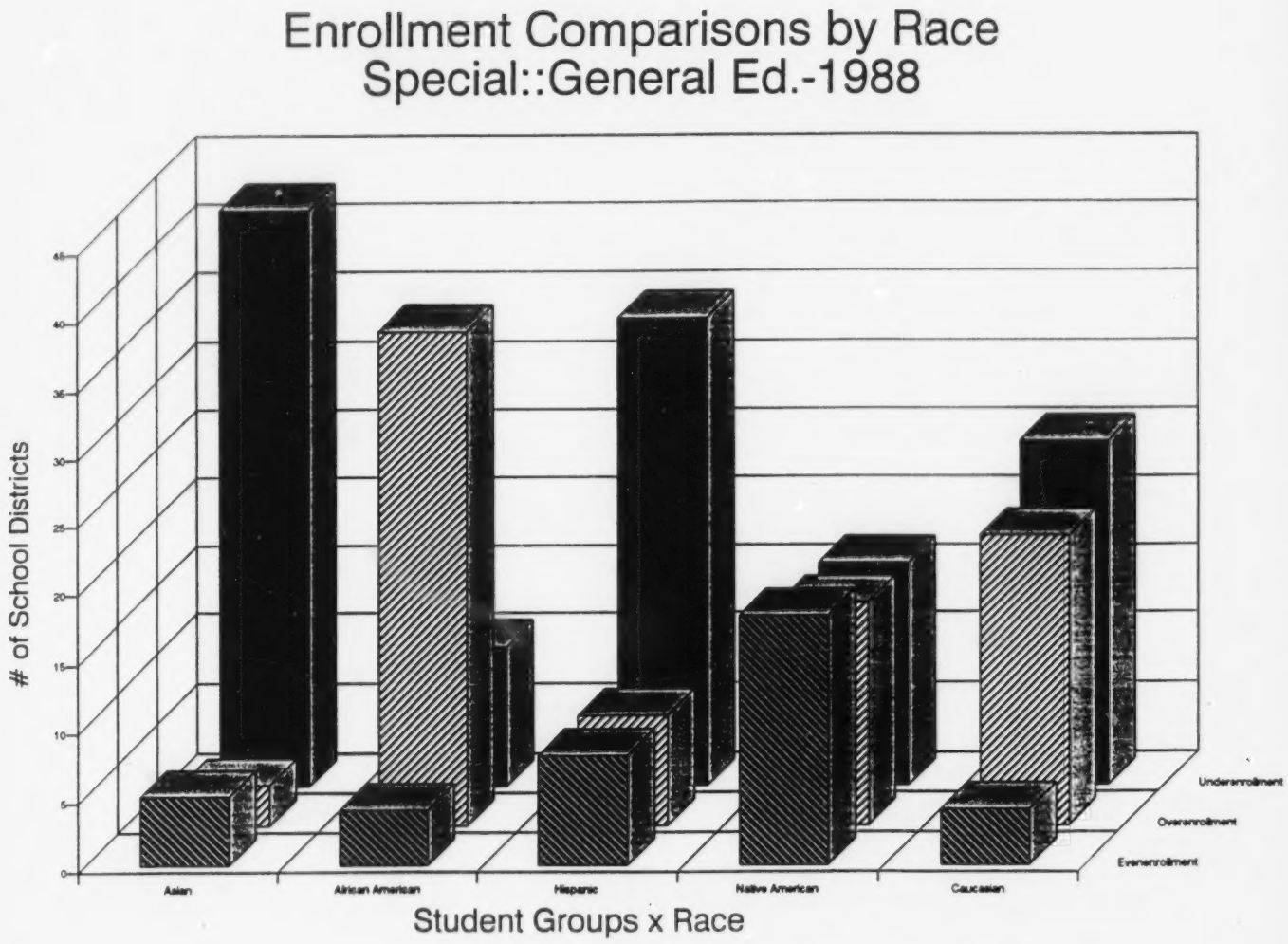
Figure 6B



Even enrollment refers to the even proportional representation of the two groups subject to comparison; e.g., if 50 percent of the school population were Caucasian, there would be **even enrollment** if 50 percent of those in a specific disability category were Caucasian. Likewise, there would be **underenrollment** if less than 50 percent were in the specific disability group or **overenrollment** if more than 50 percent were in the specific disability group.

Source: 1986 Office of Civil Rights Survey

Figure 7



Source: National School Borads Association Survey (1989)

Americans. Once again, it seems that there may be a relationship between school systems' implementation of least restrictive environment mandates--reflected in Table 3--and the disproportionate placement patterns represented in Figures 6A, 6B, and 7. Such a relationship is also suggested by findings from other federal education research studies.[11] For example, a 1987 study of high school juniors reported that among special education students 66 percent were Caucasian, 25 percent were African American, and 8 percent were Hispanic American, while comparable figures among non-special education students were 72 percent Caucasian, 15 percent African American, and 8.5 percent Hispanic American.

Unfortunately, a 1991 General Accounting Office (GAO) report, entitled *Within-School Discrimination: Inadequate Title VI Enforcement by the Office for Civil Rights* GAO/HRD-91-85 painted a bleak picture of the status of federal monitoring and enforcement of some civil rights violations in public education. Important findings from that GAO report indicated that:

> The capability of OCR regional offices to determine Title VI violations was limited, many investigators and several of the regional directors reported, by a lack of training on how to investigate ability-grouping, tracking, or assignment to special education cases...
>
> Both investigators and regional directors indicated that a lack of staff expertise limited the capability of regional OCR offices to determine if school districts violated Title VI regulations in ability-grouping, tracking, and assignment of students to special education investigations. (p. 39)

In response to the increasing documentation and research evidence supporting findings of the pervasiveness of tracking, some reform-oriented education groups are attempting to emphasize *"detracking"* as a strategy to help meet national education goals.[12] Detracking involves challenging and changing the systemic assumptions underlying student placement, ability grouping, curricular programming, and service delivery.

School systems will be expected to address the unique and multidisciplinary needs of recently defined student groups (i.e., students with autism or traumatic brain injury). Such preparations require, at a minimum, a coordinated and integrated approach to intergovernmental service delivery and funding for health and education systems for children and youth. For example, states are required to provide all special education and related services to students at no cost to parents. Many states find this difficult to accomplish because they are constrained by limited education budgets. However, state

education agencies can work with state Medicaid programs for help in securing Medicaid coverage of health-related services for children and youth receiving special education services.[13]

Opportunities to integrate students into vocational education and adult education programs are also being pursued by school districts interested in providing appropriate, cost-effective services to students with disabilities. Other types of coordinated strategies may be identified by the joint grant funded by the Department of Health and Human Services and the Department of Education.

School systems will also be expected to adjust their curricula to include alternative instructional strategies and relevant academic content that are more effective and challenging.[14] Professionals who provide minimal or passive educational service, instructional support, and information must change their style of operation to become more proactive and effective.[15] For example, education personnel will need to develop an understanding and respect for the differential value placed on public education by culturally diverse parents. The range of different values and expectations placed on education by the parents will require a basic change in the way that educators deliver services and that policymakers make decisions.[16]

Parents who have not fully participated in educational decision-making activities for a variety of reasons (see Table 4) must receive more active attention and support. Parents who have moved to the United States from countries where public special education is not an entitlement, or where procedures differ, may require specific outreach efforts because of their unfamiliarity with their rights and responsibilities under the IDEA (e.g., regarding individualized education programs, least restrictive environment, and procedural safeguard systems).

Similarly, institutions of higher education should be expected to improve teacher preparation programs.[17] Judging from recent reports, such as *Teach America: A President's Agenda for Improving Teacher Education*, however, needed improvements in personnel preparation programs have not included special education content (e.g., President's Commission on Teacher Education 1991). Other efforts, such as enrolling college-level students from minority backgrounds into teacher preparation programs may prove more fruitful.

SCHOOL REFORM IN THE 1990'S

This section of the report focuses on school reform efforts for the various student populations in the country. The first subsection highlights the perceived impact of school reform on students with disabilities. The second

subsection is an assessment and summary of initiatives for the range and diversity of student groups in the nation. The third subsection describes cyclical school reform. The fourth subsection provides an overview of school reform perspectives that involve (1) national education goals and (2) the states' and local school districts' various education reform plans.

Impact of School Reform on Students with Disabilities

Have students with disabilities received proper consideration within the context of education reform efforts? In its 1989 education report, *The Education of Students with Disabilities: Where Do We Stand?* the National Council on Disability expressed a variety of concerns, including the issue of how students with disabilities fit within education initiatives and school reform proposals. Perhaps this quote from the report provides an adequate summary of the National Council's view on the then-current trend toward education reform:

> Although current proposals to reform schools have had little to say about the quality of education for students with differences, specifically those with disabilities, there can be little doubt that what makes schools effective for non-disabled students will be effective for students with disabilities as well. (p. 50)

The degree to which education reform initiatives in the 1990s reflect a greater awareness and inclusion of students with disabilities is addressed below.

An Assessment and Summary of School Reform Initiatives

From 1990 to 1992, education reform initiatives for improving education for *all* students and school reform efforts across the country moved forward, focusing on education in the contexts of *work*,[18] *health*,[19] *academic performance*,[20] and a *national management information system*.[21] Education initiatives were proposed at federal and state levels; some were linked with international education efforts.[22] The common thread running through most reform efforts is that America's schools fail to prepare an overwhelming majority of America's youth for a successful college experience, productive working life, effective community service involvement, and healthy adolescence and adult life.

Work Readiness

Four initiatives that focus on education in the context of work readiness are worthy of note. The first is the Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS), established in February

1990. The SCANS--which is directly related to *America 2000* Goals 3 and 5 (i.e., math and science achievement and adult literacy, respectively)--is expected to identify skills that are essential in preparing students for a productive working life. *The SCANS initiative makes no specific provisions for students with disabilities.*

The second work readiness initiative is the Department of Education's Performance Standards and Measures (PSM), established through revisions to the Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (**P.L. 101-392**). According to the PSM initiative, each state board of vocational education will develop and implement a statewide system of core standards and measures for federally assisted secondary and postsecondary vocational education programs. *It is not clear what specific provisions are made in the PSM initiative to include students with disabilities.*

The third work readiness initiative, WORKLINK, was established by the Educational Testing Service in 1990, and charged with developing a computer-based system for linking educational systems with work environments. WORKLINK will operate as a computerized job-bank service network. *The WORKLINK initiative does not indicate how it will include specific provisions for students with disabilities.*

The fourth work readiness initiative is the Department of Education's Adult Literacy Initiative, established through Section 383(b) of the Adult Education Act as reauthorized by **P.L. 100-297**. The Adult Literacy Initiative and some of its major activities (e.g., the 1992 National Adult Literacy Survey, the 1992 Institute for Literacy Research and Practice) are charged with defining, assessing, and establishing programming for skills that comprise the basic education needed for literate functioning and work among 16-65-year-olds. *It is not clear how the Adult Literacy Initiative will specifically accommodate individuals with disabilities in its multifaceted operations.*

Quality of Life

Two major initiatives that focus on the contribution of education to quality of life--specifically, health--are also worth mentioning. The first, the result of the Department of Health and Human Services' Young Americans Act of 1990 (**P.L. 101-501**), created a coordinated federal response to the multiple health needs of all children and youth. *It is still too soon to tell how children and youths with disabilities will be addressed in the implementation of the new law.*

The second quality of life initiative is the National and Community Service Act of 1990, designed to build self-esteem and teach teamwork and decision-making and problem-solving skills to economically and educationally

disadvantaged youth, including individuals with disabilities. *It is too early to tell how, and to what degree, individuals with disabilities will be specifically provided for in the implementation of this new law.*

Academic Achievement

Two initiatives that focus on academic achievement are notable. The National Science Foundation's (NSF) 5-year Statewide-Systemic Initiative expects ten participating states will redesign their mathematics and science education curricula, revise teacher training and alternative certification, and redesign assessment of student performance. Certain state programs will target poor urban and rural districts; other participating states will target kindergarten and elementary school programs. *It is not clear whether states have targeted students with disabilities to be involved in the NSF's science and mathematics initiatives (or in other national initiatives).*[23]

The second academic achievement initiative is the Department of Education's National Assessment of Educational Progress (NAEP). NAEP's *1991 Trial State Math Assessment Report* was based on a sample of 100,843 students from 300 schools, in 37 states. A total of 4,209 students (approximately 4%) with IEPs were included in the report; a total of 4,972 students (approximately 5%) with IEPs were excluded. State-to-state variation in student exclusion-inclusion rates was indicated in the report as well.[24] *As of the spring of 1992, however, students with IEPs who were allowed to take the NAEP Math Assessment did not have their minority group scores published.*

National Management Information System

The major initiative that guides education in the context of an improved *national management information system* is the National Forum on Education Statistics' Agenda Committee. In response to the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (**P.L. 100-297**), the forum issued *A Guide to Improving the National Education Data System* in 1990 to serve as a blueprint for the efforts of the National Education Goals Panel and the National Council on Education Standards and Testing. The *Guide* outlines 36 specific recommendations are that needed to improve the nation's education data system. Many of these recommendations target racial, ethnic, and economically diverse student groups, including the following:

- Seven related to "student and community background statistics" (e.g., child count data);

- 12 related to "education resource statistics" (e.g., national- and state-level expenditures);

- Six related to "school process statistics" (e.g., school course offerings); and

- 11 related to "student outcome statistics" (e.g., student achievement measures) (pp. 105-115).

A review of the Guide reveals that only six of these 36 recommendations (or 17%) specifically address students with disabilities and students who receive special education services. Although some recommendations address students with disabilities and students who receive special education services (i.e., four related to "student and community background statistics," one related to "education resource statistics," and one related to "school process statistics"), no "student outcome statistics" recommendations specifically include students with disabilities and students who receive special education services. *How can the Guide become the blueprint for improving American education and its data system when America's students with disabilities are not adequately represented?*

Is School Reform Cyclical or Revolutionary?

Historically, many school reform efforts have been targeted to specific student populations such as Native American Indians,[25] Chicanos/Mexican Americans,[26] African Americans,[27] and students from lower social/economic strata.[28] For these minority student groups, to differing degrees, the sequence of reform efforts has predictably been (1) access and funding, (2) curriculum change and program effectiveness, and (3) improved student outcomes and program accountability. Some minority student groups have participated in the cycles of access reform and effectiveness reform (e.g., African-American youth). Some minority student groups have not moved beyond the first cycle of access and funding reform (e.g., students with disabilities). *The majority of students in the American education system have been exposed to outcomes and accountability reform efforts at different times during the 20th century. However, this has not been true for students with disabilities.*

The most recent cycle of education reforms is the result of the enactment of the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (**P.L. 100-297**). Hawkins-Stafford was designed to include a number of minority student groups into the outcomes/accountability reform cycle, along with the majority student population. For example, Title I--Basic Programs--addresses programs for migratory children, children with disabilities, and neglected and delinquent children; bilingual education programs; Native American Indians in schools; and adult education programs. Title II--Amendments to Other Educational Programs--addresses funds for the improvement and reform of schools and teaching; the National Assessment of

Educational Progress; and education for Native Hawaiians, Native American Indians, and the homeless.

National, State, and Local School Reform Perspectives

On April 18, 1991, then-President George Bush released *America 2000: An Education Strategy*, a long-range plan intended to move communities toward the national education goals adopted by the President and the National Governors Association on February 25, 1990, at the historic education summit held in Charlottesville, Virginia.[29] The six performance goals to be accomplished by the year 2000 are as follows:

Goal 1. All children in America will start school ready to learn.

Goal 2. The high school graduation rate will increase to at least 90%.

Goal 3. American students will leave grades 4, 8, and 12 having demonstrated competency in challenging subject matter, including English, mathematics, science, history, and geography; and every school in America will ensure that all students learn to use their minds well so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

Goal 4. U.S. students will be first in the world in science and mathematics achievement.

Goal 5. Every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise rights and responsibilities of citizenship.

Goal 6. Every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

In order to achieve these goals, a four-part strategy is being simultaneously pursued. President Bush drew the analogy of four giant trains, big enough for everyone to find a place on board, departing at the same time on parallel tracks on the long journey to educational excellence:

1. For today's students, making existing schools better and more accountable.

2. For tomorrow's students, creating a new generation of American schools.

3. For those already out of school and in the work force, becoming a nation of students, recognizing learning as a lifelong process.

4. For schools to succeed, looking beyond their classrooms to the communities and families.

To what extent are students who receive special education services represented in the *America 2000* reform goals? *Three fleeting references to students with disabilities and students who receive special education services [pp. 32, 201, and 231] can be found in the 245-page "report card"* of *The National Education Goals Report of 1991: Building a Nation of Learners*. The report represents the combined efforts of the National Education Goals Panel, members of the administration, and ex-officio members of Congress.

While this major document focuses national attention on some categorical education programs (e.g., Chapter 1 programs for disadvantaged students) purportedly because of the numbers of school children served (4.65 million students in 1988), there is an absence of focus on other categorical education programs such as special education programs which serve comparable numbers of students (4.54 million in 1988). *There are no identifiable measures or indicators that specifically reflect the accomplishments of students who receive special education and related services.*

Americans are left wondering if this means the nation has no expectations for competency of its students who receive special education services. The National Education Goals Panel is already working on its *National Education Goals Report of 1992*. Will students who receive special education services be underrepresented and their outcomes unreported in this major accountability report too?

Although many other questions concerning the ambitious goals and strategy of *America 2000* come to mind, parents, educators, and other advocates wonder what plans are being developed so that individuals with disabilities will be fully included. As recent education reform efforts have been discussed and developed, the needs of students with disabilities have been given little attention. Further, it is unclear as to who is setting performance standards.

There is some hope that students with disabilities may be included in the *America 2000* reform. Bipartisan support for the *America 2000* plan for national standards and tests in key subject areas has resulted in a recent report from The National Council on Education Standards and Testing (NCEST). Entitled *Raising Standards for American Education*, the 1992 report includes specific language that attempts to bring students with disabilities into

the national debate on school reform (see specifically pp. 6, 10, 29, and 30). *It remains to be seen, however, whether and how the inclusion of students with disabilities will move beyond the discussion stage of the NCEST work agenda.*

The nonprofit New American Schools Development Corporation (NASDC) was set up by American businesses in 1991 to support the *America 2000* education reform. The NASDC invited grant proposals that could include the design of "break-the-mold schools" or even school districts. The first deadline for such proposals was February 14, 1992. In its request for proposals, the NASDC required that break-the-mold school designs must include all students and not just those most likely to succeed. In addition, the proposals must specify how students would achieve world-class standards in at least the five core subjects and be prepared for citizenship, employment, and lifelong learning. *It is not yet known how many of the NASDC-funded design projects will include students with disabilities or how the design teams propose to raise achievement levels of those students to world-class standards.*

As of April 15, 1992, 43 states and the District of Columbia have officially adopted *America 2000* or a variation. Part D in the supplement and Table 5 present data on recent state reform efforts across the country. Information addressing the following questions is also included: Are the needs of children and youth with disabilities specifically addressed? Are various age groups represented? Do reforms mention academic achievement, minimal instructional time lost, school and work readiness, and quality of life. Does the state reform merely mimic the rhetoric of *America 2000*? Who participates in formulating each state's reform efforts? Who is setting performance standards? How are outcome performances being measured? State-by-state data are also summarized in Table 5. In addition to state reform initiatives, a number of cities or regions are beginning their own education initiatives such as *Detroit 2000*, *Metro Richmond (Virginia) 2000*, and *San Antonio 2000*.

Alabama is an example of a state whose reform efforts have resulted in a well-articulated plan for positive change, although it has yet to distribute an assessment plan of such efforts. As a result of a directive from the Alabama State Board of Education to study the problems, concerns, and challenges facing Alabama's public schools and to prepare a course of action for moving Alabama's educational system toward excellence, the chief state school officer and the state department of education issued a report in 1984 entitled *A Plan for Excellence: Alabama's Public Schools*. The plan incorporates four sections (student, teacher, administrator, and public) and makes comprehensive recommendations in each. Recommendations for academic achievement, school/work readiness, quality of life, and minimal instructional time lost are specified. For example, the student section includes recommendations in these 14 areas (with the outcome variables listed) in parentheses):

- *Instructional time* (minimal instructional time lost)

  -- provide a 175-day instructional year
  -- provide a full six hours of instruction each day
  -- establish time-on-task requirements for each course
  -- do not sacrifice instructional time for teachers' personal or professional development activities

- *Study and homework* (minimal instructional time lost)

  -- introduce study habits early in a student's education
  -- require homework in each subject area
  -- establish state guidelines for homework
  -- establish school system guidelines for homework

- *Systematic program of studies* (academic achievement)

  -- reduce class sizes
  -- require annual parent-teacher conferences
  -- provide a thorough program of remediation

- *Kindergarten* (minimal instructional time lost and academic achievement)

  -- make classes available to all 5-year-olds
  -- require attendance
  -- provide funds for appropriate materials

- *The basics* (academic achievement)

  -- are established by the state department of education
  -- are defined in K-8 as reading, language arts, mathematics, science, social studies, computer literacy, art, music, and physical education
  -- have course work and instructional plans developed for each grade by the state department of education
  -- design assessment programs to ensure consistency among state's school systems

- *Assessment and remediation* (academic achievement and school/work readiness)

  -- adminster the state's basic competency tests in grades 3, 6, and 9

- -- expand the state's student achievement testing program to all students in grades 1, 2, 4, 5, 7, 8, and 10
- -- provide aptitude tests for grades 4 and 8
- -- add career aptitude and personal interest test for students entering grade 9
- -- make remediation available to every student deficient in a skill or competency

- *Promotion and retention* (academic achievement)

  - -- establish specific learning goals for each grade and each subject

- *Diplomas* (academic achievement and school/work readiness)

  - -- establish uniformity in awarding diplomas so that each means the same to the graduate or prospective employer
  - -- require students to pass Alabama High School Graduation Examination (AHSGE) in order to receive a diploma
  - -- award a special certificate to those students not acquiring the specified Carnegie Units and/or who fail the AHSGE

- *Curriculum and graduation requirements* (school/work readiness and quality of life)

  - -- increase Carnegie Units because existing requirements do not adequately prepare students to compete in the marketplace
  - -- require a special course in home and personal management of life skills of each graduate
  - -- teach students to understand and accept responsibility

- *Higher education programs* (academic achievement)

  - -- challenge higher-achieving students
  - -- promote higher-order intellectual skills
  - -- revamp honors programs

- *The student in activities* (quality of life and minimal instructional time lost)

  - -- deveop a systematic plan for extracurricular activities
  - -- do not sacrifice instruction time for extra curricular activities
  - -- set limits on activities during school nights

- *Instructional materials and equipment* (academic achievement)

  -- provide adequate funding

- *Vocational education* (school/work readiness and quality of life)

  -- evaluate all programs for ability to prepare students to compete in job market
  -- assess relationships between high school and postsecondary vocational programs

- *Continuing education* (school/work readiness and quality of life)

  -- provide programs in adult education

In the Alabama plan, references to various age groups of students are made. Programs to ensure that all student populations are served and that special needs are met specifically address the needs of students with disabilities. Those interested in state reform efforts across the nation are anxious to see how Alabama will assess its plan.

Maryland, on the other hand, is an example of a state that has articulated an assessment plan based on its state reform initiative, *Maryland 2000*. Data are intended to provide information regarding student performance in areas considered to be useful to guide decision making for success for all students in school improvement.

The data-based areas under student performance include:

- *Assessed student knowledge* (academic achievement)

  -- Maryland Functional Testing Program
  -- Maryland School Performance Assessment Program

- *Student attainment* (academic achievement and school/work readiness)

  -- promotion rates
  -- high school program completion rates

- *Participation* (minimal instructional time lost)

  -- attendance rates
  -- dropout rates

- *Postsecondary documented decisions* (school/work readiness)

The data-based areas under supporting information include:

- *Student population characteristics* (school/work readiness)

  -- enrollment statistics
  -- mobility of students
  -- the number of first graders with kindergarten experiences
  -- aspirations of students grade 9

- *Special programs and services* (quality of life and academic achievement)

  -- special education programs
  -- programs for students with no or limited English proficiency
  -- programs for Chapter 1 students
  -- programs for gifted and talented students
  -- free/reduced-price meal programs

- *Other factors (school system and state)* (academic achievement, quality of life, and minimal instructional time lost)

  -- financial information
  -- staffing
  -- instructional time
  -- norm-referenced assessments

State standards are measures against which data will be judged. Standard levels are "excellent performance" and "satisfactory performance." Excellence is defined as a highly challenging and clearly exemplary level of achievement indicating outstanding accomplishment in meeting students' needs. Satisfactory is defined as a rigorous and realistic level of achievement indicating proficiency in meeting students' needs. The data-based areas above are those reported in the state's 1990 and 1991 *Maryland School Performance Program Report*. The challenge in Maryland will be to reach the standards in five years. Additional standards will be set for data-based areas to be reported in the November 1992 report card. While students with disabilities in Maryland are included in some state reform initiative plans, it should be noted that some systematic exclusions exist. For example, to date, only students with disabilities who are on regular academic tracks are included in the annual assessment data reports.

Examination of Table 5 and Part D in the supplement, which list states' education reform programs, shows a majority of states have published performance goals for their school systems. Many of these systems were implemented between 1987 and 1991. A number of states allude to maintaining assessment data related to their performance progress systems; however, the majority of these states do not disaggregate performance data for students with disabilities. Some states report only enrollment statistics related to students with disabilities and students who receive special education services. Part D provides a more complete description of the states' performance and assessment programs to date.

In summary, then, from a review of current federal and state education initiatives, systemwide school reform involves:

- Setting priorities in service programs and funding;
- Developing data and research structures that would support new demands for improved decision making;
- Devising new schemes for enhanced technical assistance activities;
- Preparing personnel resources for creative or redirected service efforts; and
- Revising or redefining the intricate intergovernmental relationships that currently exist in the field of public education in America.

Systemwide school reform might involve any one or all of these things. Unfortunately, from an analysis of the data collected so far (see Part D in the supplement), *current education initiatives and school reform proposals may not translate into significant changes that involve students with disabilities and students who receive special education services*. How this situation can be addressed requires careful, but timely, analyses and responses.

Table 5

STATE EDUCATION REFORM INITIATIVES

Academic achievement	Instructional time	Work readiness	Quality of life
Alabama	Alabama	Alabama	Arkansas
Arizona	Arkansas	Arkansas	Connecticut
California	Colorado	Connecticut	Delaware
Colorado	D. Columbia	Delaware	Florida
Connecticut	Indiana	Florida	Kansas
Delaware	Iowa	Illinois	Massachusetts
Dist. of Columbia	Maryland	Kansas	Michigan
Florida	Michigan	Maryland	Minnesota
Indiana	Missouri	Massachusetts	New Mexico
Iowa	Nebraska	Michigan	North Carolina
Kansas	Nevada	Minnesota	North Dakota
Maryland	New Jersey	Nebraska	Oregon
Massachusetts	New York	Nevada	Tennessee
Michigan	North Carolina	New Jersey	Texas
Minnesota	Ohio	New Mexico	Vermont
Missouri	Oregon	New York	Virginia
Nebraska	South Carolina	North Carolina	
Nevada	Texas	North Dakota	
New Jersey		Ohio	
New Mexico		Oregon	
New York		South Carolina	
North Carolina		Tennessee	
North Dakota		Texas	
Ohio		Vermont	
Oklahoma		Virginia	
Oregon			
South Carolina			
Tennessee			
Texas			

Source: State publications. In order for a state to be listed under any of the outcome variables, the state's publications must have made some reference to the outcome variable. Six contacts with each state were made. Data as of June 1, 1992.

A LOOK AT THE PRESENT: STUDENT ACCOMPLISHMENTS AND OUTCOMES

To understand the accomplishments and outcomes attained by students with disabilities in America, attention must first be focused on relevant data in OSEP's annual reports to Congress for the period 1986-1989. The chief source of annual national outcomes data from OSEP is the basis of exit data set which represents 5% of the country's special education population of 4.54 million students. The basis of exit data set (Figure 8 and Part E in the supplement) includes the number and percentage of students who graduated with diplomas, graduated with certificates, reached maximum age of entitlement, dropped out, or used some other basis of exit.

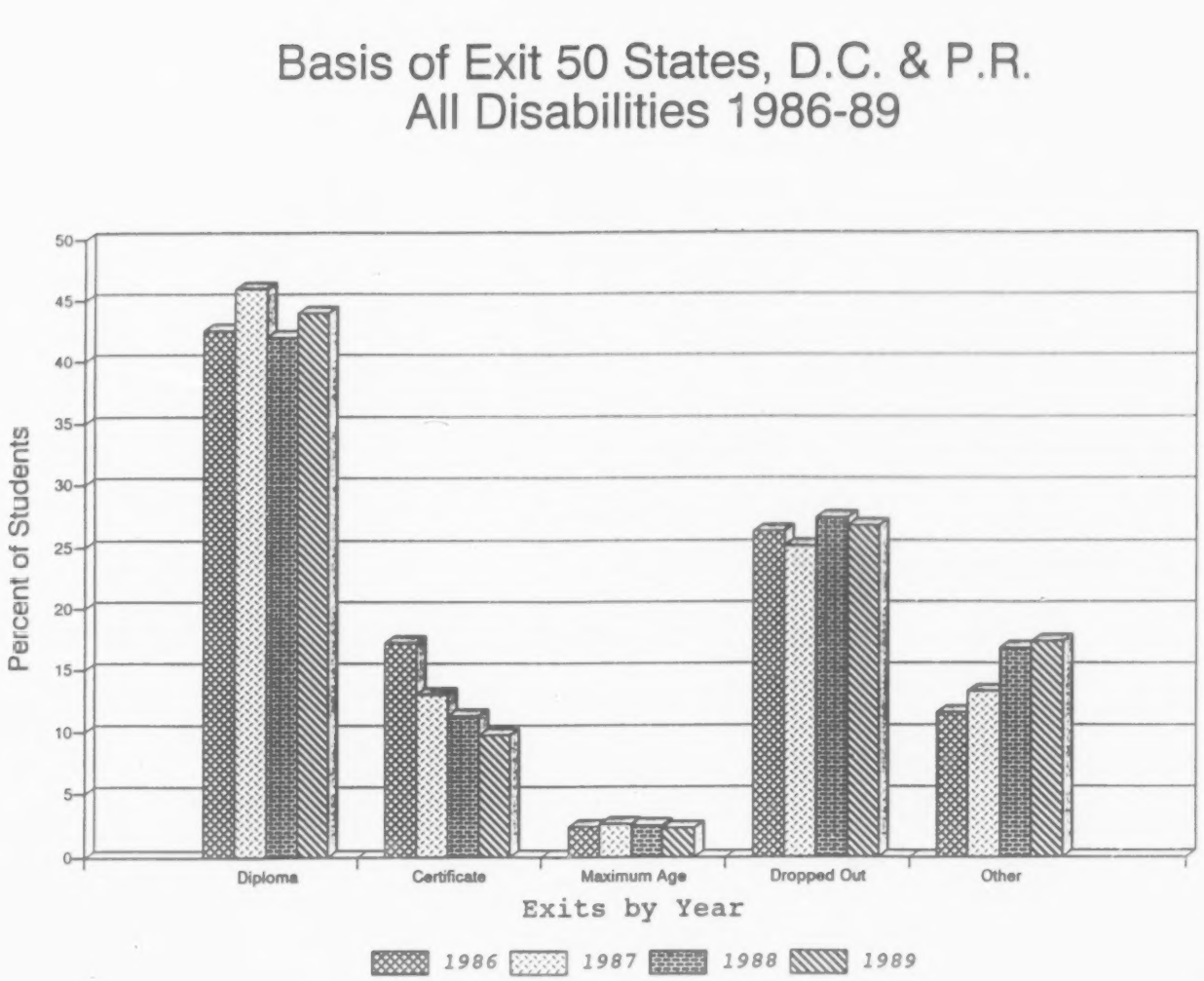
A review of Figure 8 indicates the following national trends during the years 1986-1989:

- *Students who graduated with diplomas increased from 42% to 46%.*
- *Students who graduated with certificates decreased from 18% to 10%.*
- *Students exited public schools by reaching the maximum age of service entitlement at a 3% annual rate.*
- *Students who dropped out increased from 25% to 27%.*
- *Students who left schools for undetermined reasons--or, "other basis of exit"--increased from 12% to 18%.*

A review of the basis of exit graphs across student disability categories in Part E in the supplement reveals the following annual trends in the nation for the years 1986-1989:

- *Students with hearing impairments graduate with diplomas at a higher percentage rate than any other student group, ranging from 56% to 65%.*
- *Students with mental retardation graduate with certificates at a higher percentage rate than any other student group, at a rate of about 20%.*
- *Students with speech impairments have shown the highest rates among all student groups of leaving schools for undetermined reasons, ranging from 19% to about 43%.*

Figure 8



Source: Westat Inc. (1991)

- *Students with multiple disabilities have the greatest likelihood of any student group to reach the maximum age of their school entitlement, at an average rate of about 12%.*

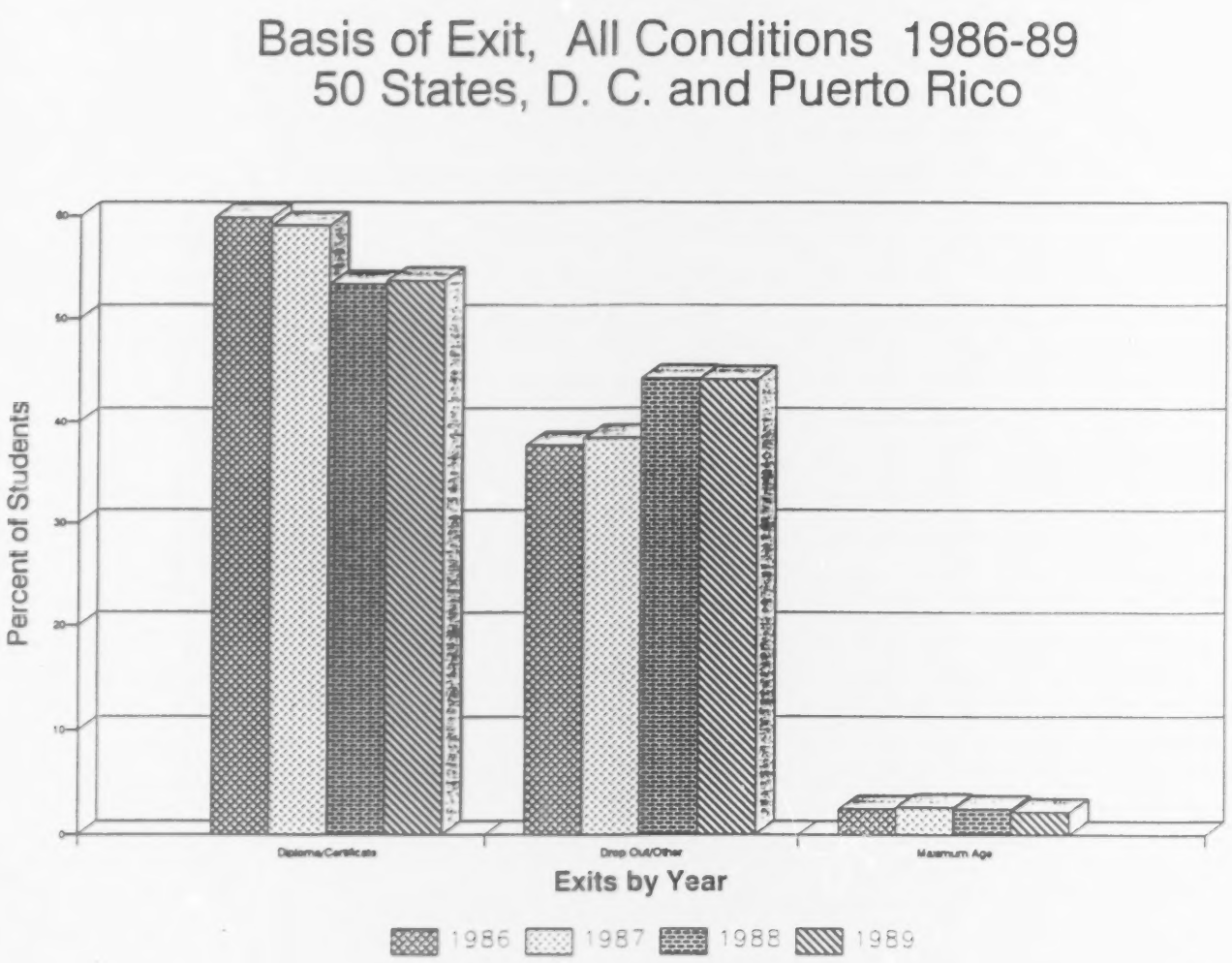
- *Students with serious emotional disturbances are at the greatest risk among all student groups of dropping out of school, at a rate of about 40%.*

When the basis of exit outcomes data are disaggregated across the sample of six states and across the ten student categories, the picture changes dramatically. The national trends reported above are not repeated across the six states. Possibly the "other basis of exit" category may be masking or skewing actual conditions. For example, in State 02, dropout rates have consistently decreased as other basis of exit rates have consistently increased--in a hydraulic-like fashion--over the period 1986--1989. Another possibility may be that changes in different states' graduation requirements account for differences in outcome trends. A third possibility might involve the effectiveness of differing secondary education programs for students with disabilities in the six states. A further possibility may be that changes and/or differences across the local-state-national outcomes data reporting system and factors, as yet unidentified, play a role. How data managers choose to present basis of exit data sets (see, for example, Figure 9) may affect readers' interpretations of annual student outcomes data.

Apart from the annual basis of exit data set reported to Congress each year, *What other national outcomes data are to be made available by OSEP in its annual reports to Congress?* The *National Longitudinal Transition Study* (NLTS) of secondary-age special education students, mandated by Congress in 1983, appears to be the only other source. The NLTS focuses exclusively on secondary school outcomes (absenteeism, course failure, school completion) and postschool outcomes (attendance at postsecondary vocational schools, competitive employment of youth not in postsecondary schools). *Where are the national outcomes data for preschool- and elementary-age students who receive special education services?*

Data for the general education system are most often provided to Congress by the National Center for Educational Statistics (NCES) through publications such as the *Annual Digest of Education Statistics*. The few data tables in the *Digest* that report on students with disabilities are transposed from OSEP's *Annual Reports to Congress*. While the *Digest* incorporates 96% of the special education student population in its annual national-state enrollment tables and figures, it does not disaggregate its enrollment numbers for students with disabilities. However, through its Common Core of Data Survey system, the NCES has been able to identify student enrollment by state

Figure 9



Source: Westat Inc. (1991)

and by grade for the last 25 years. A natural progressions analysis on these enrollment data shows the following:

- *Consistent and relatively large numbers of students who are not moving in grade-to-grade fashion from 1st to 2nd grade and from 2nd to 3rd grade; and*

- *Large numbers of students entering and exiting public education systems at the points of transition between elementary and junior high/middle schools, and between junior high/middle schools and high schools.*

These trends appear to correlate with trends reported by OSEP since 1985. A comparison of the two national enrollment data sets strongly suggests a predictable flow of large numbers of students from regular education grades 1-3 into special education service systems. The *National Education Longitudinal Study* of 1988 (p. 9) shows that the largest percentages of at-risk 8th graders reported that they repeated 1st and 2nd grades most often. Other NCES documents and reports also provide unique, albeit one-time-only, information about progress and outcomes attained by students with disabilities.[30]

A LOOK AHEAD: OUTCOMES AND EXPECTATIONS

Other than the basis of exit data reported annually by OSEP to Congress, there appears to be little or no nationally representative information that annually reports the achievements of 96% of the special education population. While approximately 91% of elementary and secondary public special education students are in graded placements, those students' academic achievements are not systematically documented, reported, or disseminated. This situation is especially puzzling when, according to the *13th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act* (1991), 93% of students aged 3-21 years with disabilities were served in regular school buildings.

There are several compelling explanations that may account for this situation:

- *Many school system reforms tend to rely on management information personnel and technicians as decision makers and not on program personnel who know the substantive data and research issues in school reform processes. When this occurs, the predictable result is less than a full and fair reporting of the accomplishments and outcomes of students who receive special education.*[31]

- *Territoriality among and within federal and state education agencies may contribute to what might be referred to as an impoverished data and research system regarding students with disabilities.*[32]

- *There is little incentive or pressure to redesign the annual federal special education data base beyond the basic equity measures and indicators that have been reported to Congress for the past 13 years.*

- *Existing overlaps and redundancies in federally mandated educational data collections may result in superficial information systems.*[33]

The development of an integrated policy and research framework that accurately represents student accomplishments and outcomes in public education systems is justified on a number of grounds:

> First, there is a growing recognition of the interrelatedness of education systems from kindergarten to college, between education systems and school-based health systems, between education and vocational rehabilitation systems, and between education systems and corrections systems, for example.
>
> Second, there is a growing awareness among federal policymakers that existing data and student record-keeping systems may be wholly outdated, such as the Migrant Student Record Transfer System, which is 18 years old.
>
> Third, the demand for statistics and information about "new" student populations is increasing (e.g., the population of students identified with traumatic brain injuries), which requires new information alliances between federal, state, and local agencies such as the Center for Disease Control and OSEP.
>
> Fourth, there is considerable duplication in federal data collection activities across the range of educational programs. Fifth, federal and state school performance and accountability initiatives demand major design changes to existing government data systems.

The nation may be far from developing a sophisticated, overarching type of management information system. However, the need for improvements to intergovernmental education systems' internal controls and accounting systems is clear.[34] Perhaps the President and Congress envisioned this as a

mandatory task for the National Council on Education Standards and Testing. In the meantime, the possibility exists that agency- and program-specific frameworks can be integrated as a precursor to such an overarching federal-state data system.[35]

The first step in achieving an integrated information system framework involves an analysis of the intersection between existing federal-state research or assessment systems with federal-state school reform programs. Some of the more frequently used research in the fields of special and general education is listed in Table 6, according to the four outcomes of interest for the National Council's study: academic achievement, school/work readiness, quality of life, and minimal instructional time lost. An inspection of Tables 5 and 6 suggests that there are few instances of common research or assessment or reform efforts across school populations.

The second step in ensuring an integrated, reliable information system involves a reliance on a uniform set of educational data collection and reporting procedures. The *1991 SEDCAR (Standards for Education Data Collection and Reporting) Report* from the Department of Education represents best practice in the collection, processing, analysis, and reporting of education statistics. The principles enunciated in the *1991 SEDCAR Report* are intended to help improve the usefulness, timeliness, accuracy, and comparability of education data that inform key policy decisions at all levels of the U.S. education system, with the ultimate goal of improving education (p. xi).

These standards for quality assurance were initially developed for use by the National Cooperative Education Statistics System. Do OSEP's data collection and reporting activities fall within the purview of the cooperative system? Given some of the fundamental problems identified with its educational data system, if OSEP and state education agencies are not members of the cooperative system, perhaps they should be.

MEASURES AND INDICATORS

Federal and state agencies are working to improve the accountability of their education systems as well as the performance of their students. Agency officials and reform advocates face the ambitious task of identifying performance indicators and measurement systems.[36] The following policy standards are being considered, to varying degrees: (1) equity in service provision and resource distribution across the area of programming; (2) excellence in service delivery across the range of diverse student populations; (3) responsiveness to local needs; (4) responsiveness to local political preferences; (5) responsiveness to student-consumer constituencies and the needs expressed by those constituencies; (6) coordination and

Table 6

OUTCOME VARIABLES, MEASURES, AND RESEARCH

OUTCOMES	SPECIAL EDUCATION	GENERAL EDUCATION
ACADEMIC ACHIEVEMENT		
- **Grade point averages**	- High School Transcript Study (1987); 12th & 13th Annual Reports	- National Education Longitudinal Study of 8th Graders (1990)
- **Grades pass/promotions**	- National Longitudinal Transition Study (1991)	- National Education Longitudinal Study of 8th Graders (1990)
- **Graduation with diploma**	- National Longitudinal Transition Study (1991)	- National Education Longitudinal Study of 8th Graders (1990)
- **Graduation with certificate**	- 9th-13th Annual Reports to Congress on the Individuals with Disabilities Education Act (IDEA)	- National Children's Report Card, 1989
- **Competency tests**	- 9th-13th Annual Reports to Congress on the IDEA	- National Children's Report Card, 1989
- **School participation**	- Alliance for Positive Youth Development (1991)	
		- Scholastic Aptitude Tests; American College Tests; National Assessment of Educational Progress
- **College entry**	- National Center for Education Statistics (NCES) Postsecondary Student Aid Study of 1987	- College Board Report Profiles of College Bound High School Seniors
SCHOOL/WORK READINESS		
- **Wages earned in school**	- High School Transcript Study (1987)	- The Condition of Education (1990)
- **Job entry**	- Study of Programs of Instruction for Handicapped Children and Youth in Day & Residential Facilities (1990)	- The Condition of Education (1990)
- **Presence in work study, work experiences, and cooperative education**		- 14th Annual Report of the National Commission on Employment Policy (1991)

Table 6

OUTCOME VARIABLES, MEASURES, AND RESEARCH
(continued)

OUTCOMES	SPECIAL EDUCATION	GENERAL EDUCATION
QUALITY OF LIFE		
- **Satisfaction--job**	- National Council on Disability (1989)	- Kids Count Data Book (1991)
- **Opportunity for choice and decision making**	- Forging a New Era (1990)	- Making the Grade (1990)
- **Self-determination skills**	- Quality of Life (1990)	-
- **Community utilization**	- Forging a New Era (1990)	-
- **Adequate income/support**	- Forging a New Era (1990)	-
- **Wellness**	- Adolescent Health (1991)	- Adolescent Health
- **Self-esteem**	- Adolescent Health (1991)	- Adolescent Health
MINIMAL INSTRUCTIONAL TIME		
- **Absenteeism**		
		- School Dropouts in the U.S. (1987)
- **Suspensions/expulsions**		
	- Special Analysis of the 1986 Elementary & Secondary School Civil Rights Survey Data (1988)	- School Dropouts in the U.S. (1987)
- **Dropping out**		
	- 9th-13th Annual Reports to Congress on the IDEA	- School Dropouts in the U.S. (1987)

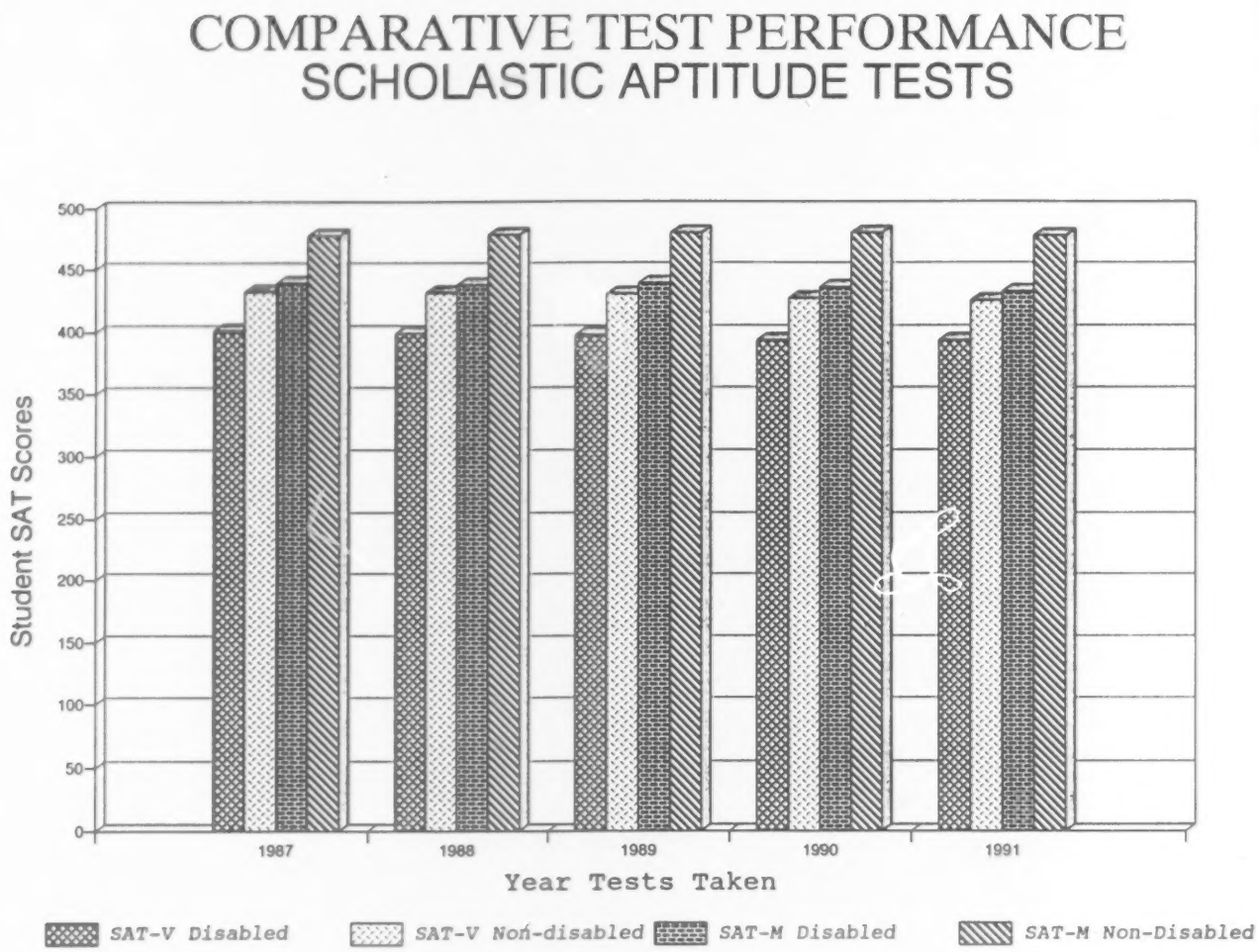
integration of services and supports to students and families; (7) maximum efficiency; (8) and intra-agency and interagency coordination across local, state, and federal levels of government.

The use of performance standards for federal and state education reforms in the 1990s is legion. For example, in the 1988 Hawkins-Stafford Amendments, program improvement provisions require schools to be evaluated primarily on the basis of year-to-year gains in normal curve equivalents (NCEs). Each state sets a criterion, or standard, that constitutes an adequate NCE gain for its students. As a result of state and local efforts to improve public education, 47 states now test or require local school districts to test elementary and secondary school students and 45 states impose high school course work requirements.[37] What are the performance standards for students who receive special education or related services? Do the Hawkins-Stafford Amendments of 1988 or the *America 2000* reform initiative provide for performance standards for students who receive special education services? Although the current response to both questions would be negative, the efforts of NCSTE may break this cycle of educational separatism and uncertainty.

A number of educational assessment measures--for example, Scholastic Aptitude Tests and National Assessments of Educational Progress--suggest that racial and ethnic group status is correlated with several other indicators, such as poverty, health status, and other factors.[38] Figure 10 offers a comparison of Scholastic Aptitude Test (SAT) performance between individuals with and without disabilities, which may raise additional questions for future study. The expected growth in the range and diversity of America's school population may require improvements in existing and planned student assessment programs. Perhaps NCEST's recent decision to support a "cluster assessment system" is a sensitive response to the changing nature of the student population in this country.

In the absence of specific provisions for special education programs in current federal and state reform efforts, what existing measurement strategies and indicators can education policymakers and others rely on to determine and report the performance of students with disabilities? The National Center for Educational Statistics publishes an annual document entitled, *The Condition of Education*. Within that document are sections and chapters of indicators of education measures and outcomes attained by students. Page 66 depicts the percentage of high school students, 16 to 24 years old, by race and sex for the period 1970-1989.[39] An additional item of data might be added to the Bureau of Labor Statistics' *Current Population Survey* to obtain comparable information regarding high school students with disabilities and students who receive special education services and who are employed at parttime jobs while in high school.

Figure 10



Source: Educational Testing Service (1991)

A second strategy might involve state rankings of key outcomes for students who are served by both the general and the special education system. Table 7 portrays differences in state rankings by comparing states' graduation rates using general education data (from the National Center for Educational Statistics and from the *1990 Census Bureau Report*) and using special education data (from the *13th Annual Report on the Implementation at IDEA*). A review of Table 7 indicates only a few cases where within-state rankings are similar when comparing special education and general education graduation rates for students. Any interpretations or conclusions drawn or inferred regarding within-state differences should be viewed with some caution.

A third possible strategy might involve the enhanced use of existing longitudinal research or assessment initiatives to accommodate specific student populations. One example may involve the *National Education Longitudinal Study* (NELS) of 1988, which, until quite recently, had maintained a 5.7% exclusion rate for students with disabilities. In the past year, the NELS team reexamined its exclusionary practices and student sample and determined that one-half of the excluded sample of 8th grade students with disabilities were eligible for inclusion in the research. Unfortunately, the NELS did not present any data regarding the achievement of students with disabilities or students with IEPs in its April 1991 research report.

After reviewing the 1990 NELS computer data base, there appear to be few instances in which students with disabilities who were included in the study sample significantly differed in their responses from their nondisabled peers. A second example may involve the NAEP longitudinal research data base, which maintains a 3% to 4% exclusion rate of students with disabilities and which does not report disaggregated test scores for students with IEPs. After reviewing a few of NAEP's computer data tapes, there also appear to be less than dramatic differences in proficiency scores attained by persons with disabilities and students with IEPs when compared with the scores attained by their nondisabled peers (see, for example, Figures 11a, 11b, and 12).

A fourth strategy might incorporate several of the outcome variables and measures listed in Table 6 of this report. This strategy could be easily adapted, by the National Education Goals Panel and could be nested within the measurement indicators system currently guiding the *America 2000* initiative. For example, one quality of life measure could include "consumer satisfaction" with educational services. Satisfaction data from a nationally representative study involving 13,075 people with developmental disabilities, the *1990 Forging A New Era-National Consumer Survey*, is presented in Table 8. Table 8 shows that 15 to 25% of respondents were dissatisfied with current educational services, and provides explanations for consumers' (i.e., students' and their parents') dissatisfaction.

Table 7

STATES RANKED BY STUDENT GRADUATION RATES

State	Special Education* Rank	General Education** Rank	Difference
Puerto Rico	53	--	--
California	52	7	-45
Oregon	51	25	-26
Louisiana	50	28	-22
New Hampshire	49	21	-28
Pennsylvania	48	41	-07
Rhode Island	47	48	1
Florida	46	3	-43
Illinois	45	32	-13
Alaska	44	4	-40
New York	43	50	7
Delaware	42	44	2
Michigan	41	39	-03
Washington	40	20	-20
North Carolina	39	12	-27
Missouri	38	35	-03
Maryland	37	40	3
Idaho	36	14	-22
Kentucky	35	10	-25
Georgia	34	18	-16
Arizona	33	6	-27
North Dakota	32	37	5
Tennessee	31	17	-14
Iowa	30	45	15
Alabama	29	24	-05
Maine	28	19	-09
Wyoming	27	9	-18
South Carolina	26	12	-14
Indiana	25	29	4
New Mexico	24	30	6
Arkansas	23	11	-12
West Virginia	22	8	-14
Kansas	21	27	14
Vermont	20	34	14
Oklahoma	19	23	4
New Jersey	18	36	18
Utah	17	2	-15
Colorado	16	21	5

Table 7

STATES RANKED BY STUDENT GRADUATION RATES
(continued)

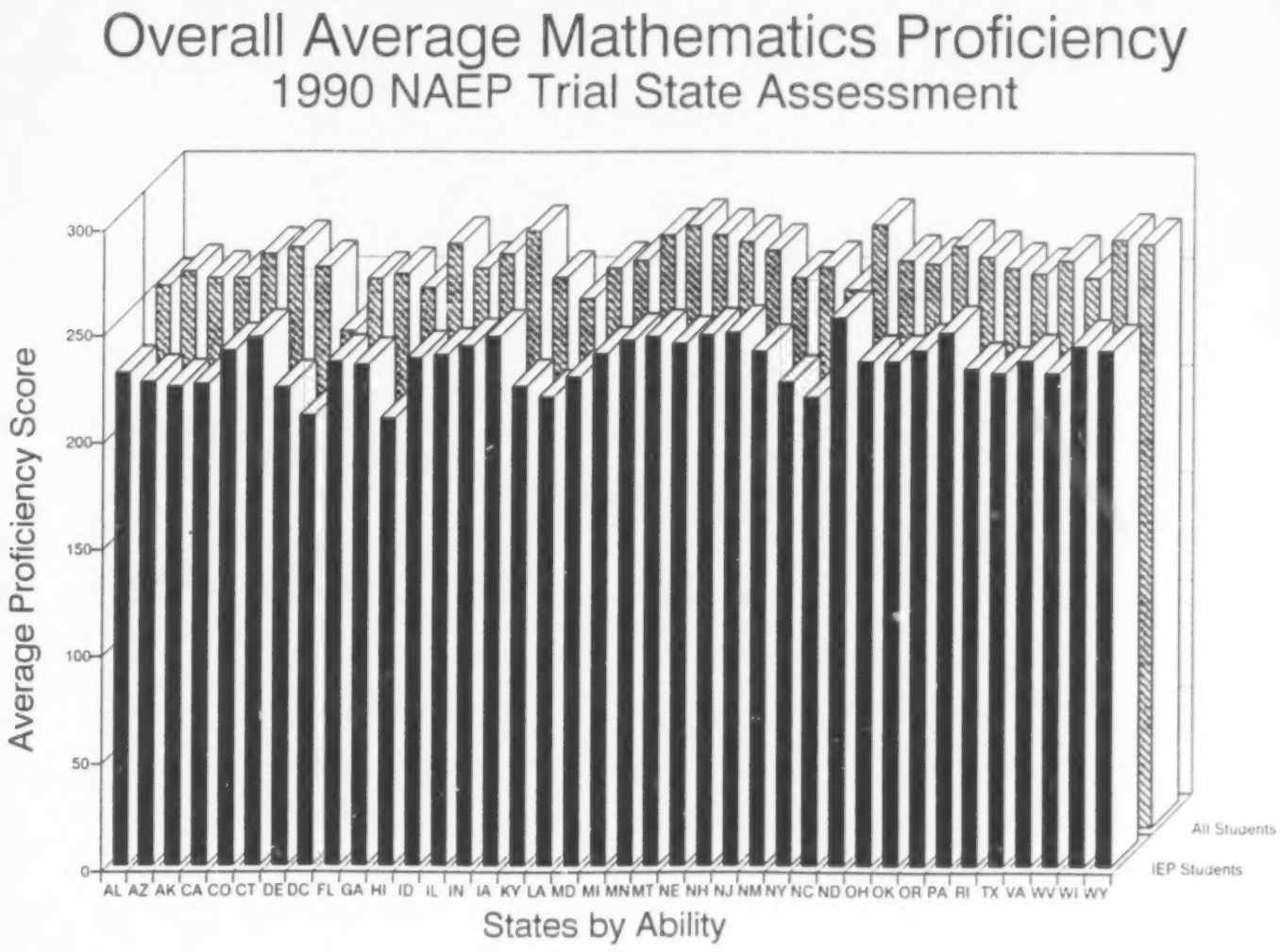
State	Special Education* Rank	General Education** Rank	Difference
South Dakota	15	47	32
Nebraska	14	36	22
Dist. of Columbia	13	--	--
Minnesota	12	42	30
Montana	11	37	26
Mississippi	10	15	5
Virginia	9	16	7
Massachusetts	8	49	41
Texas	7	5	-02
Ohio	6	31	25
Hawaii	5	26	21
Wisconsin	4	42	38
Nevada	3	1	-02
Bureau of Indian Affairs	2	--	--
Connecticut	1	32	31

Note: These special education values are based on percents for each state; therefore, they must be considered an unweighted statistic that does not compensate for differences in state population.

* Derived from Basis of Exit data from the 13th Annual Report to Congress on the Implementation of the IDEA State Rankings by combined percents of graduated with Diploma, with Certificate, and reached Maximum Age of entitlement for all disabilities.

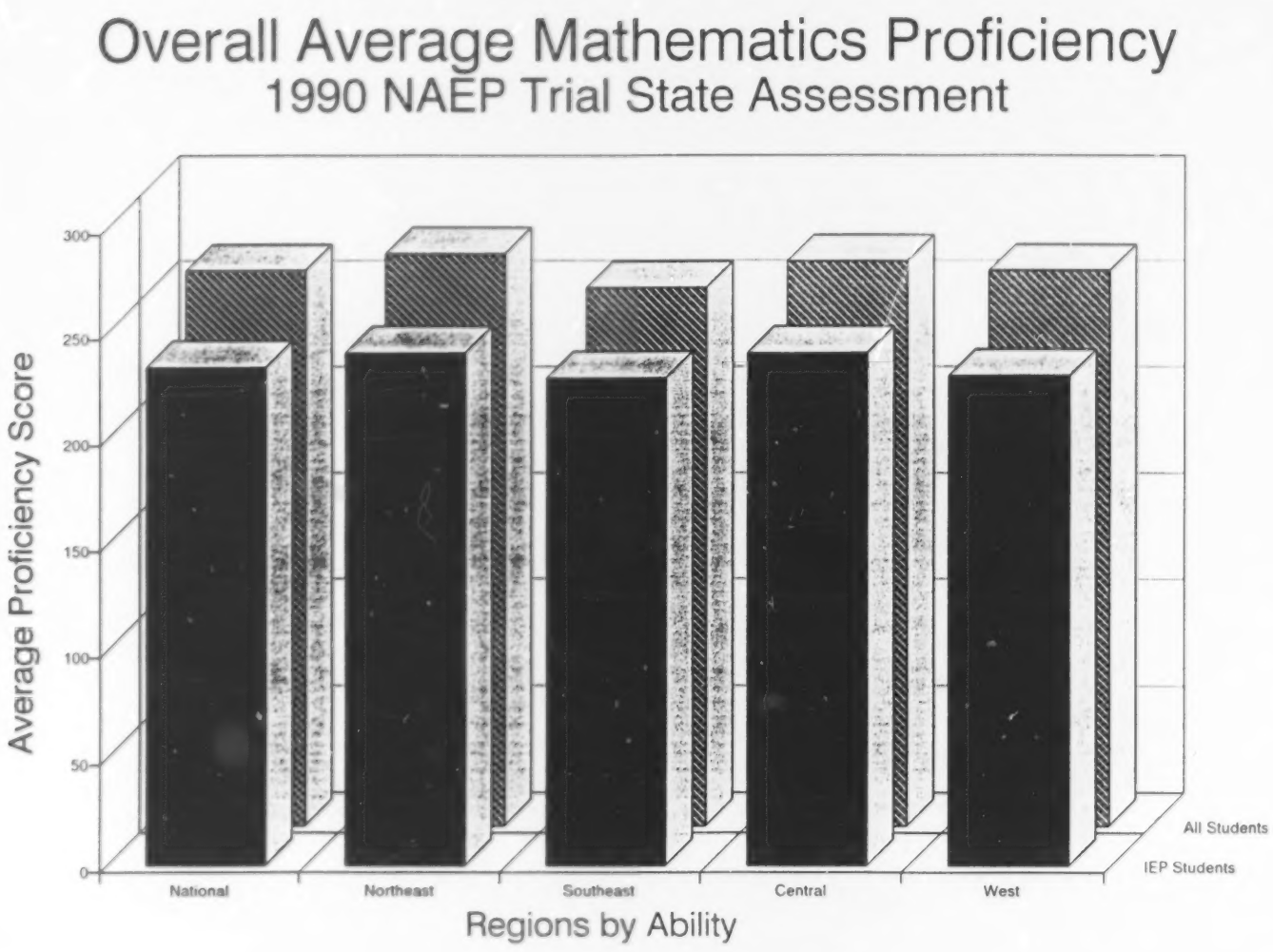
** Source: *Bureau of the Census Decennial Report*, 1990, p. xiv.

Figure 11a


Overall Average Mathematics Proficiency
1990 NAEP Trial State Assessment
Average Proficiency Score
300
250
200
150
100
50
0
AL AZ AK CA CO CT DE DC FL GA HI ID IL IN IA KY LA MD MI MN MT NE NH NJ NM NY NC ND OH OK OR PA RI TX VA WV WI WY
States by Ability
All Students
IEP Students

Source: Educational Testing Service (1991)

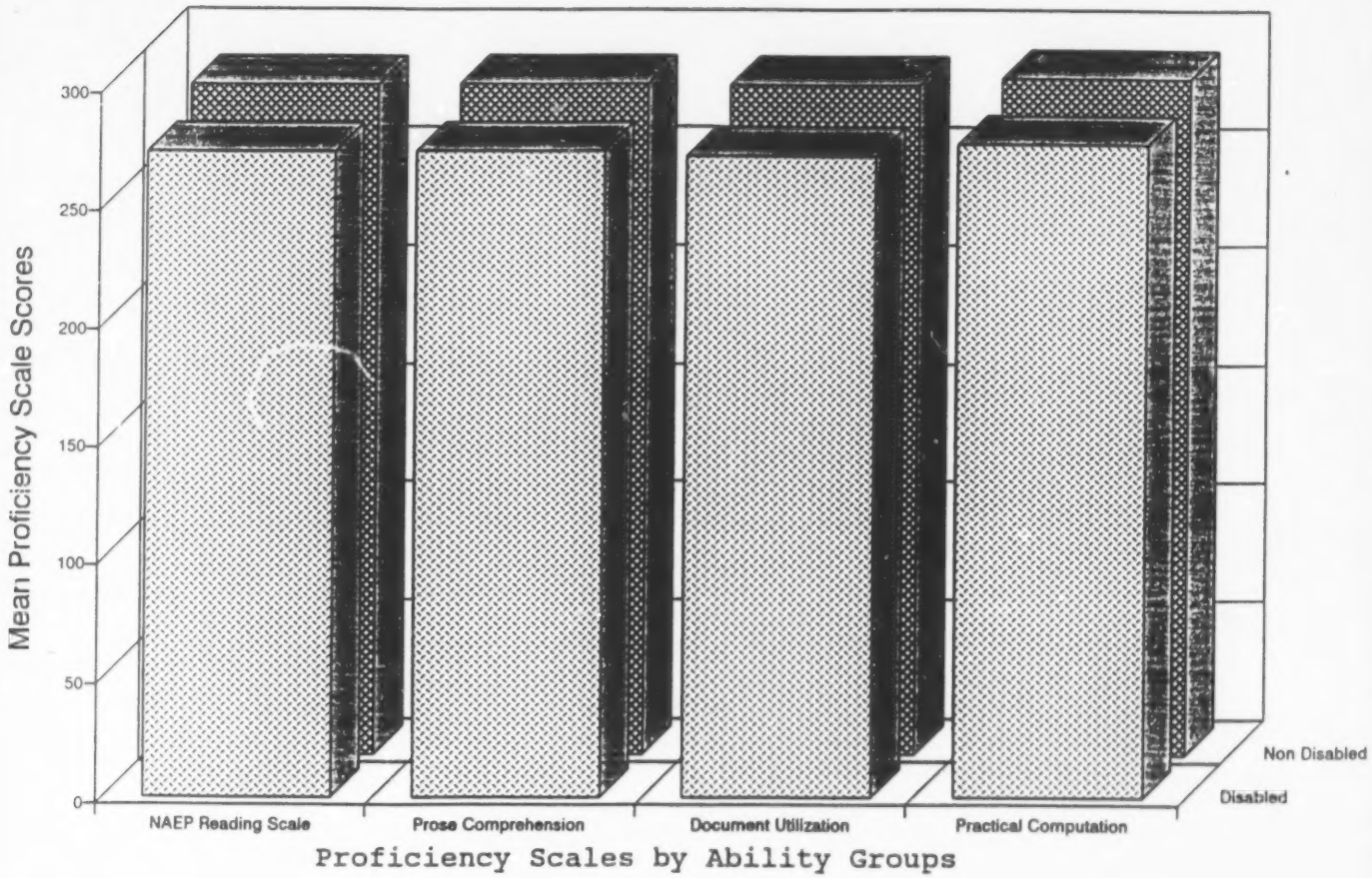
Figure 11b



Source: Educational Testing Service (1991)

Figure 12

NAEP Young Adult Literacy Study Data
Comparison of Proficiency Scale Scores



Note: The NAEP Young Adult Literacy Test was used to gather information from a national sample of 21- to 25-year-old adults concerning their literacy proficiencies. The test consisted of a pool of 105 items that contributed to the various literacy scale scores. Matrix sampling techniques were employed that required each participant to respond to a representative 3/7's sample of the 105 items, which provided a reliable estimate of the population's performance. Under this procedure an individual answers too few items to provide accurate proficiency estimates. Therefore, based on the individual's responses to the sample of items and the individual's background, it is possible to estimate a proficiency scale score ("plausibility value"). Because of the variability associated with this procedure, the average of various estimates of a proficiency value is probably the most appropriate value to use.

Source: National Assessment of Educational Progress, Educational Testing Service (1987)

Table 8

NATIONAL CONSUMER SURVEY (1990)

Total *N* = 13,075

Item: Satisfaction with Services Currently Received
(Percentages)

Satisfied	72	74	63	53	63	71	67	55	66	62	67	68	59
Neutral	13	12	18	26	14	12	20	31	17	14	19	14	26
Dissatisfied	15	14	20	21	23	16	12	15	17	24	14	18	15

Sub-item: If dissatisfied with services, why?

Reason	*N*= 273	*N*= 258	*N*= 258	*N*= 134	*N*= 616	*N*= 348	*N*= 115	*N*= 78	*N*= 216	*N*= 474	*N*= 115	*N*= 234	*N*= 81
Other	11	12	8	10	10	8	14	18	10	14	14	15	16
Not receiving enough	26	16	8	12	11	12	10	21	28	31	17	22	11
Poor quality	14	13	13	11	17	14	15	10	19	15	10	10	11
Too expensive	3	4	1	2	.2	2	2	2	9	2	4	4	37
Not suited to needs	30	41	55	46	47	46	41	31	19	24	37	38	46
Does not help	4	2	2	3	2	4	3	3	1	2	5	3	--
No respect for dignity	4	4	9	6	3	3	7	--	4	1	5	4	1
Transportation	2	1	.5	--	.3	1	1	1	2	6	3	1	4
Understaffed	3	2	2	4	5	4	6	3	13	2	1	1	--
Not integrated	3	7	3	8	6	6	2	5	3	2	4	3	4

Source: U.S. Department of Health and Human Services, Administration on Developmental Disabilities

A fifth strategy might include the adoption or adaptation of other existing and locally relevant youth indicators.[40] For example, nationwide student and/or parent satisfaction and dissatisfaction with educational services could provide school officials and policymakers with the necessary data for educational reform efforts in the 1990s. Table 8 presents 1990 data for a nationally representative sample of consumers with developmental disabilities. A second example might involve statewide data, such as the Vermont Post School Indicators for Program Improvement Project, which provides follow-up/follow-along data regarding students who exited special education. Follow-up data are used by school districts to increase employment levels, postsecondary education opportunities, friendships, and decision-making skills. Once it is refined, the follow-up/follow-along indicator system will be included in Vermont's educational evaluation system.

FINAL REMARKS

Annual national reports on the achievement levels or competencies attained by preschool-, elementary-, and secondary-age students with disabilities and students who receive special education services have been extremely limited. Students with disabilities have been largely forgotten by the mainstream of our education system and by reformers of that system. America must fulfill the potential of all its citizens, including all students with disabilities, if it hopes to maintain world-class economic status in the next century.

Current efforts to improve the nation's schools involve increasing the accountability of school systems to improve academic performance and to report competence attained by students. Public special education is premised on the use of individualized accountability reports on the progress of every student. Students with disabilities and their families demand the opportunity to be brought into the mainstream of the U.S. education system and to be among those for whom the system will be held accountable.

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NATIONAL COUNCIL MEMBER AND STAFF BIOGRAPHIES

National Council Members

John A. Gannon, Acting Chairperson

John Gannon of Cleveland, Ohio, and Washington, D.C., founded John A. Gannon and Associates. His firm has offices in Columbus and Cleveland, Ohio; Denver, Colorado; and Washington, D.C. A fire fighter for more than 30 years, Mr. Gannon was an active leader of the International Association of Fire Fighters (IAFF) Local 93. Starting as a member of the local IAFF committee, he eventually became president, a position he held for 10 years before being elected to national office.

In September 1988, Mr. Gannon was elected IAFF President Emeritus. He had served as president of the 170,000-member organization since 1980. Under his leadership, the IAFF expanded its role in occupational safety and health. Concerned about the hazards of his profession, he guided and directed a series of programs to promote greater safety and health protection. One program sponsored research on safer garments and equipment for fire fighters. Mr. Gannon also fostered development of the IAFF Burn Foundation, which raises funds for research on the care of people who have experienced severe burns. In 1985, the Metropolitan General Hospital in Cleveland dedicated a John Gannon Burn and Trauma Center in recognition of his support for the hospital.

Mr. Gannon was elected vice president of the AFL-CIO, with which the IAFF is affiliated. Within the AFL-CIO he is vice president of the Public Employee Department. On the Executive Council, he is a member of several committees. He serves on the board of the National Joint Council of Fire Service Organizations and in 1982 served as its chairman. He is a member of the board of the Muscular Dystrophy Association. Mr. Gannon attended Miami University in Ohio and Glasgow University in Scotland, and studied at Baldwin-Wallace College and Cleveland State University.

Kent Waldrep, Jr., Vice Chairperson

Kent Waldrep has been involved with disability issues on the local, state, and national level since suffering a spinal cord injury in 1974 while playing football for Texas Christian University. Since 1981, Mr. Waldrep has served on the National Council by presidential appointment. He is National Council vice chairperson and chairman of the Research and Prevention

Committee. He was instrumental in formulating the National Council initiative on preventing primary and secondary disabilities.

Mr. Waldrep, one of 15 original drafters of the Americans with Disabilities Act, gave the legislation its name. He has lectured nationwide on subjects ranging from national disability policy to medical research targeted at curing paralysis. He founded the American Paralysis Association and the Kent Waldrep National Paralysis Foundation. He has appeared on *Good Morning America*, the *Today Show*, the *NBC Nightly News*, and CNN, and been featured in *People*, *Look*, *USA Today*, and other magazines.

He was selected by the U.S. Jaycees as one of 1985's ten Outstanding Young Men in America and received a special award from the Texas Sports Hall of Fame and a sports/fitness award from the President's Council on Physical Fitness. Kent Waldrep Days have been celebrated in four Texas cities and Birmingham, Alabama. He serves on many boards, including the Texas Rehabilitation Commission. He is past chairman of the Texas Governor's Committee for Disabled Persons and the Dallas Rehabilitation Institute. He also is chairman of Turbo-Resins, Inc., a family-owned and -operated aviation repair business. He lives in Plano, Texas, with his wife Lynn and two sons, Trey and Charles Cavenaugh.

Linda Wickett Allison

Linda Allison of Dallas, Texas, is a long-time advocate of people with disabilities. She is a board member of the National Paralysis Foundation and a trustee for the International Spinal Research Trust. Mrs. Allison, who grew up in Fort Worth, has three children. Her daughter Marcy was paralyzed from the waist down in a 1979 automobile accident. Marcy graduated from the University of Texas School of Law in 1986 and practices law in Austin. Mrs. Allison's late husband, James N. Allison, Jr., owned the *Midland Reporter Telegram* and other newspapers in Texas and Colorado and was former deputy chair of the Republican National Committee.

Ellis B. Bodron

Ellis Bodron of Vicksburg, Mississippi, has been a practicing attorney since 1947. He served 36 years as a member of the Mississippi legislature, one term in the House of Representatives and eight terms in the Mississippi Senate. He also chaired the Senate Finance Committee from 1961 until 1983.

Mr. Bodron, who is blind, is associated with several civic organizations, including the Vicksburg Lions Club, Vicksburg Chamber of Commerce, and the

University of Mississippi Alumni Association. In addition, he is a member of the Advisory Board of Directors, Deposit Guaranty National Bank.

Mr. Bodron has also been a member of the Agriculture and Industrial Board, which preceded the Board of Economic Development, and the Committee of Budget and Accounting and Board of Trustees of the Mississippi Public Employees Retirement System.

Ellis Bodron graduated with a Bachelor of Arts and a Bachelor of Law Degree from the University of Mississippi. He is married with two children.

Larry Brown, Jr.

Since 1981, Larry Brown of Potomac, Maryland, has been the Xerox business and community relations manager for the Mid-Atlantic Region, Coastal Operations, Custom Systems Division. In 1991 he became Government and Community Relations Manager with Integrated Systems Operations.

Mr. Brown was a running back for the Washington Redskins for eight years. During that time he received many awards, including Most Valuable Player in the National Football League for 1972. He was inducted into the Washington, D.C., Touchdown Hall of Fame in 1991.

After retiring from football in 1977, he worked at E.F. Hutton as a personal financial management adviser. He has been special assistant to the director, Office of Minority Business Enterprise, Department of Commerce. He is involved with youth, people with disabilities, and senior citizens. Mr. Brown has spoken at schools, colleges, and universities on topics such as motivation, discipline, and camaraderie. He works with many organizations, including the Friends of the National Institute on Deafness and Other Communication Disorders, the Deafness Research Foundation, and the Vincent Lombardi Foundation.

Mary Ann Mobley Collins

A former Miss America who lives in Beverly Hills, California, Mary Ann Collins has a career in film and television and on Broadway. She has co-hosted the National March of Dimes telethons with her husband, Emmy-award-winning actor Gary Collins; she is a member of the National Board of the March of Dimes Foundation and is national chair of the Mother's March against Birth Defects. She is a member of SHARE, a Los Angeles-based women's organization that has raised more than $6 million for the Exceptional Children's Foundation for the Mentally Retarded. She serves on the National Board of the Crohns and Colitis Foundation.

Mrs. Collins helped raise funds for the Willowood Foundation in her native Mississippi, which provides homes for young adults with mental and physical learning disabilities. She has received many awards and honors, including the 1990 International Humanitarian Award from the Institute for Human Understanding, Woman of Distinction 1990 from the National Foundation for Ileitis and Colitis, and the HELP Humanitarian Award of 1985 from HELP for Handicapped Children. She has filmed documentaries in Cambodia, Ethiopia, Mozambique, Somalia, Kenya, Sudan, and Bolivia on the plight of starving children and people with disabilities.

Anthony H. Flack

Anthony Flack of Norwalk, Connecticut, is president of Anthony H. Flack & Associates. He has been a member of the board of Families and Children's Aid of Greater Norwalk and has worked with the Child Guidance Center of Greater Bridgeport, the Youth Shelter in Greenwich, Hall Neighborhood House in Bridgeport, and the Urban League of Greater Bridgeport. Mr. Flack is a member of the Allocations and Admissions Committee, United Way of Norwalk, and received the Bell Award for outstanding service in the field of mental health at the Bridgeport Chapter, Connecticut Association of Mental Health.

John Leopold

John Leopold of Pasadena, Maryland, has 18 years' experience in elected state office. He was elected to the Hawaii State House of Representatives in 1968 and was re-elected in 1972. In 1974, Mr. Leopold was elected to the Hawaii State Senate. In 1982, he became the first Republican in Maryland history elected from District 31 in Anne Arundel County to the Maryland House of Delegates, where he served until 1991.

An advocate of people with disabilities, Mr. Leopold is a member of the Learning Disabilities Association of Anne Arundel County, the Anne Arundel County Committee on Employment of People With Disabilities, and the University of Maryland Hospital Infant Study Center Planning Advisory Board. He has served in other appointed and elected positions, including the Hawaii State Board of Education in 1968, the National Advisory Council for the Education of Disadvantaged Children in 1977, and the Maryland State Accountability Task Force for Public Education in 1974.

Mr. Leopold has written and produced cable television commercials in Maryland, written a weekly interview column for a local publication, and hosted and produced a weekly radio public affairs program. He graduated from Hamilton College in Clinton, New York, with a B.A. in English.

Robert S. Muller

Robert Muller of Grandville, Michigan, began his career with Steelcase, Inc., in 1966 and is now an administrator in human resources. He is an adjunct professor in the Department of Psychology at Aquinas College and in the Department of Education at Calvin College in Grand Rapids. He serves on the board of trustees for Hope Network and Foundation in Grand Rapids, which serves 1,700 adults with disabilities. In April 1981, he received an honorary degree in educational psychology from the Free University in Amsterdam, the Netherlands.

Mr. Muller holds a B.S. in business administration from Aquinas College and in 1978 was voted Outstanding Alumnus of the Year. He has lectured at colleges and universities nationally and internationally. He is a board member for several national, state, and local organizations.

In May 1987, Mr. Muller and his wife Carol hosted a first-time event at the White House with the vice president. The Celebration of Disabled Americans at Work was co-sponsored by several major corporations. Mr. Muller now serves as president of the National Roundtable on Corporate Development for Americans with Disabilities. In 1985, he received the Liberty Bell Award from the Grand Rapids Bar Association. In 1988, he was national co-chair of the Disabled Americans for President Bush Campaign and in 1992 was an honorary national member of the Bush/Quayle Disability Coalition Campaign. In November 1992, Mr. Muller was appointed to the Governor's Commission on Handicapped Concerns for Michigan.

George H. Oberle, P.E.D.

Dr. George Oberle of Stillwater, Oklahoma, has more than 40 years' experience in the field of health, physical education, and recreation. He began his career as a high school teacher and coach, and has been a professor and director of the School of Health, Physical Education and Leisure at Oklahoma State University since 1974. Dr. Oberle is a consultant to many organizations in the area of administration and adaptive physical education. In 1988, he worked with the Kennedy Foundation to organize and direct a new program of Unified Sports for the Special Olympics.

Dr. Oberle chaired the College and University Administrators Council (1980-82); was president of the Association for Research, Administration, Professional Councils and Societies (1984-87); and served as a board member of the American Alliance of Health, Physical Education, Recreation and Dance (1985-89). Awards include the 1985 Centennial Award from the American

Association of Health, Physical Education, Recreation and Dance; and Meritorious Service Awards from Indiana and Oklahoma.

He was selected for *Men of Achievement* in 1975 and recognized in *Who's Who of the Southwest* in 1977. Dr. Oberle received his doctorate from Indiana University in administration and adapted physical education. He lectures extensively about wellness promotion, adapted physical activity, sports, and recreation for people with disabilities.

Sandra Swift Parrino

As a member and former chairperson of the National Council, Sandra Swift Parrino has played an active role in key issues affecting the lives of people with disabilities. Nominated by President Reagan in 1982, appointed chair by the President in 1983, and reappointed by President Bush, Sandra Parrino has supported the rights of people with disabilities before Congress, in the media, and before groups nationwide. Under her leadership, the National Council has been a driving force to create public policies that affect the nation's people with disabilities.

During her tenure as chair, the National Council worked for the creation and enactment of legislation for people with disabilities; issued a policy statement, *National Policy for Persons With Disabilities*; convened hearings nationwide to solicit comments and recommendations from people with disabilities about how to eliminate discrimination; issued a major report, *Toward Independence*, that outlines key components of a comprehensive civil rights law protecting people with disabilities; initiated the first national survey of attitudes and experiences of Americans with disabilities, in conjunction with Louis Harris and Associates, Inc.; issued *On the Threshold of Independence*, a report outlining specifics of the Americans with Disabilities Act; created and developed the Americans with Disabilities Act; participated with President Bush at the signing of the Americans with Disabilities Act; conducted the first National Conference on the Prevention of Primary and Secondary Disabilities; issued reports on minorities with disabilities and personal assistance services; and planned reports on health insurance, financing assistive technology, and educating students with disabilities.

Before becoming National Council chair, Sandra Parrino founded and directed the Office for the Disabled, in Ossining and Briarcliff Manor, New York, where she created a regional program for public and private organizations that focused on programs for people with disabilities and compliance with 504. She has more than 25 years' experience on boards, councils, commissions, committees, and task forces at the federal, regional,

state, and local levels and as an expert witness, community leader, organizer, and activist.

Mrs. Parrino has represented the U.S. government on disability issues in many countries. She has been invited by the Department of State to represent the United States at the Meetings of Experts in Finland and China, and represented the United States at the United Nations Center for Social Development in Vienna several times. In 1990, 1991, and 1992 she was a delegate at the Third Committee on Social Development of the United Nations. In 1991, she was invited by the People's Republic of China to assist them in their efforts to help people with disabilities. At the request of the government of Czechoslovakia, she and the National Council were invited to conduct the Eastern European Conference on Disabilities for participants from Czechoslovakia, Poland, and Hungary.

Mrs. Parrino graduated from Briarcliff College with a B.A. in history, and completed courses at Bennett College, GuildHall School of Drama in London, and the Yale School of Languages. In 1992, Mrs. Parrino received an Honorary Doctorate of Humane Letters from St. John's University in New York. Her husband Richard is a rheumatologist. They have three children, two of whom have disabilities. Sandra Parrino was born in New Haven, Connecticut, and lives in Briarcliff Manor, New York.

Mary Matthews Raether

Mary Raether of McLean, Virginia, is associated with St. John's Child Development Center, a nonprofit organization providing instruction, employment training, and independent and group home living skills for people with severe mental disabilities, especially autism. Mrs. Raether has been an officer and trustee of St. John's since 1985, has chaired the public relations committee, and participated on the executive, nominating, investment, and development committees.

Mrs. Raether has been active in civic, educational, and religious organizations in the Washington metropolitan area. While community vice president of the Junior League of Washington, she developed emergency grant procedures and fund-raising information services for small and emerging nonprofit organizations. Mrs. Raether has 10 years' experience as legislative assistant to Reps. George Bush and Barber Conable. She specialized in tax, social security, medicare/medicaid, and trade issues. She considers her efforts in clarifying the tax status of lobbying by nonprofit organizations an outstanding career accomplishment. She received a B.A. from the University of Texas at Austin in 1962. She is married and has two children.

Anne Crellin Seggerman

Anne Crellin Seggerman of Fairfield, Connecticut, is the founder of Fourth World Foundation, Inc., a company engaged in the development of interfaith media.

A member of the Bridgeport Urban Gardens and Youth at Risk/Breakthrough Foundation, Mrs. Seggerman founded and serves as the chairman of the board of the Fairfield County Chapter of Huxley Institute for Biosocial Research. She previously was a member of the President's Committee on Mental Retardation.

Mrs. Seggerman is listed in *Who's Who of American Women* and has received numerous honors including an Honorary Doctor of Humane Letters Award from Sacred Heart University, the Association of Knights and Ladies of the Holy Sepulchre, and the American Association of the Order of Malta. She was previously appointed to serve on the Housing of Handicapped Families of the Department of Housing and Urban Development.

Mrs. Seggerman is experienced in providing care, treatment, and rehabilitation to people with schizophrenia and has extensive experience with alcoholics and children with learning disabilities. She is married and has six adult children.

Michael B. Unhjem

Michael Unhjem of Fargo, North Dakota, is president of Blue Cross Blue Shield of North Dakota. He is the youngest person ever elected to the North Dakota House of Representatives, a member of the National Conference of Commissioners on Uniform State Laws, and he served in 1988 as president of the National Mental Health Association.

Mr. Unhjem has been involved in local and national organizations, including the Advisory Mental Health Council of the U.S. Department of Health and Human Services; the Governor's Commission on Mental Health Services; the National Alliance for Research on Schizophrenia and Depression; and the National Mental Health Leadership Forum. Awards include the 1989 Special Presidential Commendation from the American Psychiatric Association, the 1988 Distinguished Leadership Award from the North Dakota Psychological Association, and the National Excellence in Leadership Award from North Dakota.

He has been recognized by *Who's Who in American Politics, Who's Who in North Dakota, Who's Who in the Midwest, Personalities of America,* and *Men of*

Achievement. Mr. Unhjem graduated magna cum laude with a B.A. in history and political science from Jamestown College in North Dakota in 1975. In 1978, he earned a J.D. with distinction from the University of North Dakota School of Law in Grand Forks. He is married and has two children.

Helen Wilshire Walsh

Helen Walsh of Greenwich, Connecticut, is a board member of the Rehabilitation Institute of Chicago, the largest U.S. rehabilitation center. She has been involved in disability advocacy for many years and has been associated with the Institute of Rehabilitation Medicine at the New York Medical Center, where she served as associate trustee. She has served as vice president, president, and chairman of the board of Rehabilitation International USA.

Ms. Walsh has been a member of the President's Committee on the Employment of People With Disabilities, and was appointed by the President to serve as a member of the National Advisory Council of Vocational Rehabilitation. In 1976, Ms. Walsh received the Henry J. Kessler Award for outstanding service in the rehabilitation field. She has received the Rehabilitation International Award for Women and the Anwar Sadat Award for outstanding work in the field of rehabilitation.

National Council Staff

Andrew I. Batavia

Andrew I. Batavia is executive director of the National Council on Disability. He formerly served as research director for Disability and Rehabilitation Policy at Abt Associates. Prior to joining Abt, he was associate director of the White House Domestic Policy Council, where he was responsible for coordinating federal policy on health care, disability, housing, education, and veterans affairs. He received his bachelor's degree in economics and sociology from the University of California, his master's degree in health services research from Stanford Medical School, and his jurisdoctorate degree from Harvard Law School.

After law school, Mr. Batavia served for two years as an attorney for the U.S. Department of Health and Human Services. He left that position in 1986 when he was awarded the Mary E. Switzer Distinguished Research Fellowship in Medical Rehabilitation Finance from the National Institute on Disability and Rehabilitation Research (NIDRR) of the U.S. Department of Education. He then served for four years as associate director for Health Services Research at the National Rehabilitation Hospital Research Center in Washington, D.C. In that

capacity, he wrote 2 books and more than 20 other publications on issues of disability and health care policy.

In 1987, Mr. Batavia was made a Fellow of the Washington Academy of Sciences. In 1988, he was awarded the Distinguished Disabled American Award from the President's Commission on Employment of People with Disabilities. In 1989, he received an International Fellowship from the International Disability Exchanges and Studies (IDEAS) Program of NIDRR, and conducted research on how the Dutch Health Care System affects people with disabilities. In 1990, he was appointed a White House Fellow by President Bush and served as special assistant to Attorney General Richard Thornburgh at the U.S. Department of Justice.

Mr. Batavia is the founding associate editor of the *Journal of Disability Policy Studies* and a cofounding board member of Independent Living Assistance, Inc. He is an adjunct assistant professor at the Georgetown University School of Medicine and a member of the Bar of the U.S. Supreme Court, the Bar of the District of Columbia, the State Bar of California, and Georgetown's Kennedy Institute of Ethics.

Billie Jean Hill

Billie Jean Hill joined the staff of the National Council on Disability as program specialist in March 1992. Previously, Ms. Hill was director of communications and editor for the Blinded Veterans Association and earlier served as founding director of a statewide broadcast service for persons with reading disabilities with Mississippi Educational Television in her home state. She was appointed to work on a governor's commission in Mississippi to report on the needs of children and youth in rural Mississippi who are disabled. Ms. Hill studied journalism and education at Mississippi University for Women and at the University of London in England. She serves as chairperson of the Board of Publications for the American Council of the Blind.

Mark S. Quigley

Mark Quigley joined the staff as a public affairs specialist in May 1990. He previously served as a consultant to the U.S. National Commission on Drug-Free Schools. He is a former program coordinator at the U.S. Interagency Council on the Homeless and former director of communications at the White House Conference on Small Business. Mr. Quigley graduated *magna cum laude* in 1979 from Northern Virginia Community College in Annandale, Virginia, with an A.A. in general studies. He received a B.A. in government and politics in 1983, and an M.P.A. in public administration in 1990 from George Mason University in Fairfax, Virginia.

Brenda Bratton

Brenda Bratton, executive secretary for the National Council, was formerly employed as a secretary at the National Transportation Safety Board. Ms. Bratton graduated from Farmville Central High School and the Washington School for Secretaries.

Stacey S. Brown

Stacey Brown is staff assistant to the chairperson and has been employed by the National Council since 1986. Prior experience includes employment as a receptionist and clerk with the Board for International Broadcasting and with the Compliance and Enforcement Unit of the Architectural and Transportation Barriers Compliance Board, where he was a student assistant. Mr. Brown is a graduate of Howard University in Washington, D.C., where he earned a B.A. in political science in 1987.

Janice Mack

Janice Mack, who serves as the administrative officer for the National Council, was formerly employed with the National Oceanic and Atmospheric Administration. Ms. Mack graduated from Calvin Coolidge High School.

Lorraine Williams

Lorraine Williams is office automation clerk for the National Council. She graduated from Valdosta High School in Valdosta, Georgia, and attends Strayer College, where she is majoring in computer information systems science.

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